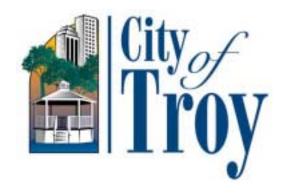
CITY COUNCIL



AGENDA

September 10, 2001 – 7:30 P.M. Council Chambers – City Hall 500 West Big Beaver, Troy, Michigan 48084 (248) 524-3300

<u>CALL</u>	TO ORDER	<u>1</u>
Invoc	cation & Pledge Of Allegiance – Rev. Sarhad Jammo – St. Joseph Catholic Chaldea	<u>n1</u>
ROLL	_ CALL	<u>1</u>
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NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

E-2	Request from CHC REIT LESSEE CORPORATION (Marriott-Troy): (a) To Drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and Add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as Co-licensees of 2000 B-Hotel license, Located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266}; (b) Approval of Agreement	6
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CALL TO ORDER

Invocation & Pledge Of Allegiance – Rev. Sarhad Jammo – St. Joseph Catholic Chaldean

ROLL CALL

Mayor Matt Pryor Robin Beltramini Martin F. Howrylak Thomas S. Kaszubski David A. Lambert Anthony N. Pallotta Louise E. Schilling

A-1 Minutes: Regular Meeting of August 20, 2001 and Special Meetings of August 20, 2001 and August 27, 2001

Suggested Resolution
Resolution #2001-09Moved by
Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of August 20, 2001, and the Minutes of the 5:30 PM Special Meeting of August 20, 2001 and the Minutes of the 7:30 PM Special Meeting of August 27, 2001 be approved.

Yes: No:

A-2 Presentations: Introduction of Proposed Student Representatives: 1) Sharon Lu – Advisory Committee for Persons with Disabilities; 2) Lusi Fang – CATV Committee; and 3) Sucheta Sikdar – Historical Commission

PUBLIC HEARING

C-1 First Amendment to Grand/Sakwa Brownfield Plan

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That Troy City Council hereby approves the First Amendment Act 381 Brownfield Plan.

Yes: No:

C-2 Request for Commercial Vehicle Appeal – 2493 E. Maple

Suggested Resolution Resolution #2001-09-Moved by Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible a alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Francisco Poblete, 2493 E. Maple, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit

outdoor parking of three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer in a residential district is hereby approved for up to two years.

(b) **Proposed Resolution for Denial**

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)"; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Francisco Poblete, 2493 E. Maple, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer in a residential district is hereby denied.

Y	es	:
N	ο.	

C-3 Appeal of Provisions for Outdoor Special Events – Oakland Mall – "Amazing Mazes and Puzzling Puzzles"

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That the variance from the Oakland Mall Merchants Association to hold an outdoor special event called "Amazing Mazes and Puzzling Puzzles" in the parking lot of the Oakland Mall, 412 W. Fourteen Mile Road, Sidwell No. 88-20-35-400-020 for a period of 45 days where only seven days are permitted by Section 41.16.00 of the Zoning Ordinance, is hereby approved.

Yes	
No:	

C-4 Request for Parking Variance – 627 E. Maple

Suggested Resolution Resolution #2001-09-Moved by Seconded by

(a) Proposed Resolution A for Approval

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

- 1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
- 2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
- 3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
- 4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that the practical difficulties justifying the variances are:

- A. That absent a variance, no reasonable use can be made of the property; or
- B. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
- C. That absent a variance, public health, safety and welfare would be negatively affected; or

D. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and finds the practical difficulty stated above to be operative in the appeal;

NOW, THEREFORE, BE IT RESOLVED, That the request from L. Mason Capitani for waiver of 23 parking spaces at the development at 627 E. Maple be approved.

(b) **Proposed Resolution B for Denial**

WHEREAS, Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

- 1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance.
- 2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district.
- 3. The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
- 4. The variance relates only to property described in the application for variance; and

WHEREAS, Article XLIII (43.00.00) requires that in granting, the City Council shall find that there are practical difficulties justifying the variances; and

WHEREAS, City Council has not found that the requirements of Articles XLIII and XLIV (43.00.00 and 44.00.00) of the Zoning Ordinance have been met;

NOW, THEREFORE, BE IT RESOLVED, That the request from L. Mason Capitani for waiver of 23 parking spaces at the development at 627 E. Maple be denied.

Υ	es	
Ν	o.	

VISITOR COMMENTS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 15, as amended May 7, 2001.)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended May 7, 2001.)

E-1 Approval of Consent Agenda

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That all items as presented	on the Consent Agenda are hereby approved as
presented with the exception of Item(s) $_$, which shall be considered after
Consent Agenda (E) items, as printed.	

Yes: No:

E-2 Request from CHC REIT LESSEE CORPORATION (Marriott-Troy): (a) To Drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and Add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as Co-licensees of 2000 B-Hotel license, Located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266}; (b) Approval of Agreement

(a) <u>License Transfer</u>

Suggested Resolution Resolution #2001-09

RESOLVED, That the request from CHC REIT LESSEE CORPORATION (Marriott-Troy) to drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as co-licensees of 2000 B-Hotel license, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266} be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

Suggested Resolution

Resolution #2001-09-

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with CHC REIT LESSEE CORPORATION, which shall become effective upon approval to drop GENCOM LESSEE, Limited Partnership and PA TROY HOSPITALITY INVESTORS, Limited Partnership as Co-licensees, and add CHC REIT MANAGEMENT CORPORATION, and MAR-TY, LLC as co-licensees of 2000 B-Hotel license, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County {MLCC REF #95266}; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

E-3 Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – Troy Youth Assistance

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the Troy City Council does hereby authorize the Police Department to seek grants for expenses (salaries, office supplies, program supplies, etc.) through the Juvenile Accountability Incentive Block Grant to the Troy Youth Assistance for the 2001/2002 fiscal year at an estimated cost of \$36,980.00; and

BE IT FURTHER RESOLVED, That if the grants are approved, the expenditure of matching City funds at an estimated cost of \$4,108.00 is hereby authorized.

E-4 Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition

Suggested Resolution

Resolution #2001-09-

RESOLVED, That approval to expend funds budgeted in the 2001/2002 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$100,000.00 is hereby approved.

E-5 Request for Acceptance of Permanent Easements for Storm Drain/Sewer – Rochester Rear Yard Drain – South of Marengo – Sidwell #88-20-03-401-022, 023, 024, and 028

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the permanent easements from Raymond K. Bisson and Jane M. Bisson, Thomas E. Thompson, Ralph Darge and Shirley I. Darge, and Dolores J. Merana, being parts of properties having Sidwell #88-20-03-401-022, 023, 024, and 028 respectively, are hereby accepted for public storm drain and related public purposes; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby directed to record said documents with the Oakland County Register of Deeds, a copy of which shall be attached to the original Minutes of this meeting.

E-6 Proposed 2002 City Council Meetings

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the City Council shall hold Regular meetings on the first and third Mondays of each month at 7:30 p.m., in observance of a holiday or City general election day, then the Council shall meet on the second and fourth Mondays; and

BE IT FURTHER RESOLVED, That Study meetings may be scheduled as needed.

E-7 Request for Temporary Sales/Office Trailer – Harrington Park Condominiums

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the request from Richard Spehar of Cherry Creek Builders, to place and occupy a sales trailer during construction of Harrington Park condominiums, is hereby approved for a twelve month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(3), of the Code of the City of Troy.

E-8 Standard Purchasing Resolution 1: Award to Low Bidder – Riding Mower

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a contract to furnish one (1) rotary riding mower is hereby awarded to the low bidder, W.F. Miller Co., at an estimated total cost of \$59,178.00.

E-9 Attorney General (ex. rel Aleta Curry) v Troy Police Department

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Attorney General (ex rel Aleta Curry) v Troy Police Department and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-10 Standard Purchasing Resolution 3: Exercise Renewal Option – Traffic Control Signs

Suggested Resolution

Resolution #2001-09-

WHEREAS, On October 2, 2000, one-year contracts with an option to renew for one additional year for traffic control signs was awarded to Vulcan Signs, Signs and Blancs, Inc., and Rocal, Inc. (Resolution #2000-441); and

WHEREAS, All awarded bidders have agreed to exercise the one-year option to renew under the same prices, terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the options to renew the contracts are hereby exercised with Vulcan Signs, Signs and Blanks, Inc., and Rocal, Inc. to provide traffic control signs under the same contract prices, terms, and conditions for one-year expiring November 1, 2002.

E-11 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Haworth Furniture Contract

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a contract to purchase Haworth furniture for the new Lloyd A. Stage Nature Center building from University Business Interiors is hereby approved through the Oakland County Cooperative Purchasing Program at an estimated total cost of \$38,530.68.

E-12 Standard Purchasing Resolution 1: Award to Low Bidder SAD Paving Projects – Daley, Forthton, Finch and Harris, Contract No. 01-11

Suggested Resolution

Resolution #2001-09-

RESOLVED, That Contract No. 01-11, for SAD paving projects – Daley, Forthton, Finch and Harris, is hereby awarded to the low bidder, Thompson-McCully Company, at a cost of \$607,510.20, in accordance with bid tabulation opened August 30, 2001, a copy of which shall be attached to the original Minutes of this meeting, contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

E-13 Standard Purchasing Resolution 1: Award to Low Bidder – Survivair Air Packs Parts

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a contract to furnish Survivair air pack parts, labor, and accessories is hereby awarded to the sole bidder, The Argus Group of Michigan, at unit prices contained in the bid tabulation opened August 16, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$126, 056.93.

BE IT FURTHER RESOLVED, Item #2 – 2nd Stage Regulators are hereby rejected.

E-14 Marie Skirak v Schultz, City of Troy et. al

Suggested Resolution

Resolution #2001-09-

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Marie Skirak v Robert E. Schultz, Jr., Victoria T. Ko, Arthur C. Ko, and Karen M. Dubay, City of Troy and Steven Vaillancourt and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-15 Standard Purchasing Resolution 4: Tri-County Purchasing Cooperative – Copy Paper

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a one-year cooperative contract for copy paper from Xpedx Paper & Graphics is hereby approved through the City of Sterling Heights bid process and extended to the Tri-County Purchasing Cooperative at unit prices contained in the bid tabulation opened June 26, 2001, a copy of which shall be attached to the original Minutes of this meeting expiring September 5, 2002.

E-16 Standard Purchasing Resolution 4: Oakland County Road Commission – 4-Ton Hot Asphalt Hauler

Suggested Resolution

Resolution #2001-09-

RESOLVED, That a contract for one (1) trailer mounted 4-ton hot asphalt hauler from Spaulding Mfg. Inc., is hereby approved through the Oakland County Road Commission bid tabulation dated November 30, 1999, at a total cost of \$13,500.00.

E-17 Information Requested Pertaining to Membership in The United States Conference of Mayors

Suggested Resolution

Resolution #2001-09-

RESOLVED, That payment of annual dues in the amount of \$2,294.00 be made to the United States Conference of Mayors for the City of Troy's full membership thereof.

REGULAR BUSINESS

Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 6, as amended May 7, 2001. Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Animal Control Appeal Board; (c) CATV Committee; (d) Civil Service Commission (Act 78); (e) Downtown Development Authority; (f) Historical Commission; (g) Liquor Committee; (h) Parks and Recreation Committee; (i) Traffic Committee; and (j) Troy Daze Committee

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Perso	ns With Disabilities	Council Appointment
	Student Rep Term Expires 07-	01-2002
	Student Rep Term Expires 07-	01-2002
(b) Animal Control Appeal Board		Council Appointment
	Term Expires 09-30-2004	
(c) CATV Committee		Council Appointment
	Student Rep Term Expires 07-	01-2002
	Vacant Term Expires 02-28-20	04
(d) Civil Service Commission (Act	<u>78)</u>	Council Appointment
	Vacant Term Expires 04-30-20	02
Hold for recommendation from	Civil Service Commission.	
(e) Downtown Development Author	<u>ority</u>	Mayor, Council Approval
	Term Expires 09-30-2005	
	Term Expires 09-30-2005	
	Term Expires 09-30-2005	
(f) Historical Commission		Council Appointment
	Student Rep Term Expires 07-	01-2002
	Term Expires 07-01-2004	

(g) <u>Liquor Committee</u>		Council Appointment
	_ Student Rep Term Expires 07-01	-2002
(h) Parks and Recreation Commi	<u>ttee</u>	Council Appointment
	_ Student Rep Term Expires 07-01	-2002
	_ Term Expires 09-30-2004	
	_ Term Expires 09-30-2004	
(i) Traffic Committee		Council Appointment
	_ Student Rep Term Expires 07-01	-2002
(j) Troy Daze Committee		Council Appointment
	_ Student Rep Term Expires 07-01	-2002
Yes: No:		
F-2 Proposed Amendment t	o Council Rules of Procedure	
Suggested Resolution Resolution #2001-09- Moved by Seconded by		
amended as proposed; with the in	Council Rules of Procedure, dated Insertion of a new Item Number 24, umber 24, Violations, renumbered	Agenda Items Submitted
Yes: No:		

F-3 Police/Fire Administration Building – Architectural Proposal for Site Alternatives

Suggested Resolution Resolution #2001-09-Moved by Seconded by

(a) Suggested Resolution A

RESOLVED, That the proposal from Redstone Architects, Inc. to prepare site drawings for the Police/Fire Administration Building site alternatives be approved at an amount not to exceed \$16,500.00.

(b) Suggested Resolution B

RESOLVED, That the proposal from Redstone Architects, Inc. to prepare site drawings for the Police/Fire Administration Building site alternatives be approved at an amount not to exceed \$11.500.00.

Yes: No:

F-4 Winter Maintenance Agreement – Road Commission for Oakland County

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That the Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of certain primary and local roads in accordance with the provisions of the 1951 PA 51, amended as described and outlined in Exhibit A, is hereby approved and the mayor and City Clerk are authorized to execute the necessary documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes: No:

F-5 Bid Waiver/Sole Source- East Jordan Iron Works – Hydrant and Valve Repair Parts

Suggested Resolution Resolution #2001-09-Moved by Seconded by

WHEREAS, East Jordan Iron Works, the manufacturer, has agreed to provide East Jordan Hydrant and Valve Repair Parts for one year at a 40% discount off list.

NOW, THEREFORE, BE IT RESOLVED, That the contract is hereby approved with East Jordan Iron Works to provide East Jordan Hydrant and Valve Repair Parts at a 40% discount off list expiring October 16, 2002.

ott iis	t expiring October 16, 2002.				
Yes: No:					
F-6	Designation of Voting Delegate and Alternate Voting Delegate at the Annual Business Meeting of the National League of Cities to be held December 4-8, 2001 in Atlanta, Georgia				
Reso Move	ested Resolution lution #2001-09- ed by nded by				
of the	DLVED, That is hereby designated as Voting Delegate and is hereby designated as the Alternate Voting Delegate to cast the vote City of Troy at the Annual Business Meeting of the National League of Cities to be held mber 4-8, 2001 in Atlanta, Georgia.				
Yes: No:					
F-7	Proposed Change to Delete Chapter 81 of the City Code Relating to the Moving of Houses				

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That an ordinance amendment to Chapter 81, deleting the current text in its entirety, is hereby adopted as recommended by City Management. A copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes:			
No:			

F-8 Public Hearings for Wetlands and Natural Features Ordinances

Suggested Resolution Resolution #2001-09-Moved by Seconded by

RESOLVED, That the City Council of the City of Troy call Public Hearings for public input on the proposed Wetlands, and Natural Features Ordinances which includes the wetlands natural features map, to be scheduled for Tuesday, October 9, 2001, at the Troy Athens High School Auditorium, 4333 John R Road, Troy, Michigan, at 7:30 PM to 8:30 PM for property owners of platted parcels and 8:30 PM to 10:00 PM for property owners of non-platted lots.

Yes: No:

COUNCIL COMMENTS/REFERRALS

VISITORS

Any person not a member of the Council who have not addressed Council during the 1st Visitors Comments may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 5 (16) and Article 15, as amended May 7, 2001.)

REPORTS AND COMMUNICATIONS

G-1 Proposed City of Troy Proclamations:

G-2 Minutes – Boards and Committees:

- (a) Board of Zoning Appeals/Final June 19, 2001
- (b) Board of Zoning Appeals/Final July 17, 2001
- (c) Planning Commission/Final July 24, 2001
- (d) CATV Advisory Committee/Draft July 26, 2001
- (e) Building Code Board of Appeals/Draft August 1, 2001
- (e) Board of Zoning Appeals/Draft August 21, 2001

G-3	Department Reports:		
G-4	Announcement of Public Hearings:		
G-5	Proposed Proclamations/Resolutions from Other Organizations:		
G-6	Letters of Appreciation:		
(a)	Letter from F. Dean Campeau to Chief Craft Commending Officer Mulvihill for His Assistance Relating to a Traffic Violation He Received		
(b)	Letter from Donna M. Sherwood – Professor of Law Enforcement-Macomb Community College to Wendell Moore Thanking Him for Participating in Their Summer Field Study Class		
(c)	Letter from Michael A. Palchesko to William Need Expressing His Appreciation in the Manner the City's DPW Responded to A Refuse Situation at His Residence		
(d)	Letter from Sgt. Mark Rouland – Birmingham Police Department to Chief Charles Craft Thanking the Troy Police Department for Their Bike Patrol Assistance During the Dream Cruise		
(e)	Letter from Chief Theodore H. Quisenberry – Royal Oak Police Department to Chief Charles Craft Thanking the Troy Police Department for Their Assistance During the Dream Cruise		
(f)	Letter from Prosecuting Attorney David G. Gorcyca to Chief Charles Craft Complimenting Detective Don Tullock for His Professionalism While Assisting Them in a Case		
(g)	Letter from David S. Leighton – Special Agent for the US Coast Guard to Chief Charles Craft Thanking Detective Jim Mork for His Forensic Investigative Excellence While Assisting Them With an Investigation		
G-7	Resignation Letter Received from Frank M. Smith – CATV Advisory Committee		
G-8	Letter from Michael Chaffee – President, and Charlene Calabro – Vice President of the Sylvan Glen Homeowners' Association Regarding Concerns about the Shady Creek Estates Site		
G-9	Byrne Memorial Grant		
G-10	Assignments from August 27, 2001 Study Session		

- **G-11** Awdish v Pappas
- G-12 Letter From Bendzinski & Co. to John M. Lamerato Re: Not to Exceed \$12,000,000 City of Troy Building Authority, County of Oakland, State of Michigan, Building Authority (Golf Course)
- G-13 Adult Foster Care Facility Located at 6440 Livernois
- G-14 Ditch Construction at 6336 Donaldson, Section 3 Water Main Project
- G-15 Engineering Solution to Parking on Arlund Way-Section 7-East of Adams Road
- G-16 Award of Contract for Construction Manager for the Fire Administration Police Department Renovation and Addition J.M. Olson Corporation

Respectfully submitted,

John Szerlag, City Manager

A Special Meeting of the Troy City Council was held Monday, August 20, 2001, in the Lower Level Conference Room at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 5:30 P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor

Robin E. Beltramini Martin F. Howrylak Thomas S. Kaszubski David A. Lambert Anthony N. Pallotta Louise E. Schilling

Civic Center Site Discussion

Goals and objectives contained in the Troy Civic Center master planning concept were discussed. City Council's comments, interests, and options relative to these objectives are compiled below:

> Create a Sense of Public Space

- Without congestion
- 12+ acres differentiated spaces are desirable (pads of public spaces throughout site)
- Huber Park deed restrictions review
- Define purposes of open space

> Enhance the Community Center Focus

- "Outdoor living space" surrounding the Community Center
- Outdoor amphitheater
- Patios/courtyards breakup vehicle entrance to parking

Maintain a Sense of Open Space and Enhance Natural Features

- Topography (create new)
- o Enhance drain as a natural feature
- Structure parking is desirable
- Integration of open space into overall site
- Could tennis bubble be moved (creating connection for Huber)?
- Move library

Create a Pedestrian-Friendly Environment

- o Including enclosed weather proof corridors
- Pedestrian transit
- Ways to cross Big Beaver Road

> Maximize Opportunities for Shared Parking

- o Yes
- o Including across Big Beaver Road

Minimize Infrastructure Costs

- o Yes
- With attention to infrastructure costs off-site (traffic)

DDA GOAL: The entire development site should have a positive Return on Investment (ROI).

- Approach the development with care
- o ROI for initial capital investment and operational expenses depends on public/private partnerships and which private elements are permitted

City Council agreed that open space is operationally defined as all areas not dedicated to parking, rooftops, or streets.

Various Council comments and interests relative to potential site plan elements follow:

- Entertainment venue (performing arts center)
- ❖ What audience is being targeted? To what degree will the performing arts center be subsidized? An endowment fund is needed. Which venues do we wish to attract, Russian ballet or pop rock groups? Is 5,000 too big? The building should be a world-class architectural structure. However, would the world-class structure have an adverse effect on existing facilities, say, the Detroit Opera House? Could we merely expand the Community Center to create more theater space? Is this the site for the performing arts center, or should it be relocated elsewhere?
- ❖ Could a conference center be used for some performing arts centers functions, i.e. high school graduations, cultural activities, or business functions? Then, could other performing arts functions be decentralized throughout the Civic Center site, i.e. amphitheater, community center? The performing arts center should be privately funded thus creating a positive tax return. Performing arts center should compliment the conference center as this would help assure the success of both facilities and keep Troy's tax base stable.
- ❖ Conference Center This center could be located on the southeast quadrant of the Civic Center site. The City should not buy property for this purpose. An additional hotel would compliment the conference center. Do we need an additional hotel? An RFP should be developed to build/operate a hotel/conference center complex.

A Study Session has been set by unanimous consent for September 6, 2001 at 7:30 PM at City Hall to further discuss potential site plan elements and other matters relating to the Civic Center site.

The meeting adjourned at 7:23 P.M.	
	Matt Pryor, Mayor
	John M Lamerato
	Assistant City Manager/Finance and Administration

A Regular Meeting of the Troy City Council was held Monday, August 6, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:39 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Pastor Stephen Husava – Northfield Hills Baptist Church, and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor

Robin E. Beltramini Martin F. Howrylak Thomas S. Kaszubski David A. Lambert Anthony N. Pallotta Louise E. Schilling

A-1 Minutes: Special Meeting of August 6, 2001 and Regular Meeting of August 6, 2001

Resolution #2001-08-418 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That the Minutes of the 6:00 PM Special Meeting of August 6, 2001 and the Minutes of the 7:30 PM Regular Meeting of August 6, 2001 be approved.

Yes: All-7

A-2 Presentation: (a) Service Commendation – Ron Barnard; (b) Presentation from WideOpenWest – ICCA Cable Television Franchise

Mayor Pryor presented a Service Commendation honoring Ron Barnard's service with the City of Troy.

Mark Dineen, General Manager of WideOpenWest, made a brief presentation regarding the purchase of the Ameritech cable franchise.

VISITOR COMMENTS

CONSENT AGENDA

E-1 Approval of Consent Agenda

Resolution #2001-08-419 Moved by Pallotta Seconded by Schilling

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Items E-5 and E-9, which shall be considered after Consent Agenda E items, as printed.

Yes: All-7

E-2 Request for Approval to Pay Residential Relocation Claim – Harold R. Thomas – Civic Center Area Improvement Project – Project No. 97.110.0 – Sidwell #88-20-21-476-006

Resolution #2001-08-419-E-2

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits in the amount of \$23,550.00 to Harold R. Thomas, the former owner displaced from the property at 11 Town Center.

E-3 Hind Sarhan v City of Troy et. al

Resolution #2001-08-419-E-3

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Hind Sarhan v The City of Troy, Officer John Doe, Target Corporation d/b/a Hudson's Department Store and Jane Doe and Jan Doe, security personnel for Target Corporation, U.S. District Court Case Number 01-72931, and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-4 Standard Purchasing Resolution 1: Award to Low Bidder – Rebuilding the Gazebo at the Museum

Resolution #2001-08-419-E-4

RESOLVED, That a contract to rebuild the Museum Gazebo be awarded to the low bidder, Edrick M. Owen, Inc., at an estimated total cost of \$28,800.00; and

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates and all

other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

E-6 Private Agreement for Rhode Island Road Extension – Project No. 00-960-3

Resolution #2001-08-419-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and A&M Custom Built Homes, Inc., is hereby approved for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-7 Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirt Contract

Resolution #2001-08-419-E-7

RESOLVED, That a contract to provide one-year requirements of tee shirts (various types) with an option to renew for one additional year is hereby awarded to the low bidder, Metro Printing Service, at unit prices contained in the bid tabulation opened August 1, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$18,778.15.

E-8 Request for Acceptance of Warranty Deed – Westwood Park Subdivision Detention Basin Parcel – Sidwell #88-20-21-278-020

Resolution #2001-08-419-E-8

RESOLVED, That the Warranty Deed from Gulf Livernois, Inc., having Sidwell #88-20-210-278-020, is hereby accepted for public detention and other public purposes; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby directed to record said Warranty Deed with the Oakland County Register of Deeds Office and a copy of said deed shall be attached to the original Minutes of this meeting.

ITEMS TAKEN OUT OF ORDER

E-5 Standard Resolution 1: Award to Low Bidder – Dennis Powers Drain, Section 3, Contract 01-10

Resolution #2001-08-420 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Contract No. 01-10 – Dennis Powers Drain is hereby awarded to the low bidder, Giannetti Contracting Corp., 6340 Sims Road, Sterling Heights, Michigan 48313, at unit prices contained in the bid tabulation opened August 7, 2001, a copy of which shall be attached to the original Minutes of this meeting, at an estimated total cost of \$2,247,453.50.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the original project cost.

Yes: All-7

E-9 2001 Membership Dues to the United States Conference of Mayors

No action taken at this time. Item carried over to the Regular City Council Meeting scheduled for September 10, 2001.

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) CATV Committee; (c) Civil Service Commission (Act 78); (d) Economic Development Corporation; (e) Historical Commission; (f) Liquor Committee; (g) Parks and Recreation Committee; (h) Traffic Committee; and (i) Troy Daze Committee

Resolution #2001-08-421 Moved by Pryor Seconded by Pallotta

RESOLVED, That the following person is hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(d) Economic Development Corp	<u>poration</u>	Mayor, Council Approval					
Douglas Smith	_ Vacant Term Expires 04-30-20	005					
Yes: All-7							
Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for September 10, 2001:							
(a) Advisory Committee for Person	ons With Disabilities	Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
	_ Student Rep Term Expires 07	-01-2002					
(b) CATV Committee		Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
	_ Vacant Term Expires 04-28-20	004					
(c) Civil Service Commission (Ac	et 78)	Council Appointment					
	_ Vacant Term Expires 04-30-20	002					
(e) <u>Historical Commission</u>		Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
	_ Vacant Term Expires 07-31-20	004					
(f) <u>Liquor Committee</u>		Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
(g) Parks and Recreation Comm	<u>ittee</u>	Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
(h) Traffic Committee		Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					
(i) Troy Daze Committee		Council Appointment					
	_ Student Rep Term Expires 07	-01-2002					

F-2 Closed Session

Resolution #2001-08-422 Moved by Pallotta Seconded by Schilling

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections (a) Personnel Evaluation of Lori Grigg Bluhm and (d), after adjournment of this meeting.

Yes: All-7

F-3 Preliminary Plat-Final Approval – Meadow Creek Subdivision – West of Evanswood, North of Square Lake – Section 1

Resolution #2001-08-Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Tentative Preliminary Plat Approval, granted June 5, 2000, be extended to allow Final Preliminary Plat Approval; and

BE IT FURTHER RESOLVED, That final approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy of which shall be attached to the original Minutes of this meeting.

<u>Amendment to Main Motion</u>

Resolution #2001-08-423 Moved by Beltramini Seconded by Howrylak

RESOLVED, That the proposed Resolution be **AMENDED** by striking:

"BE IT FURTHER RESOLVED, That final approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy of which shall be attached to the original Minutes of this meeting."

Yes: All-7

Vote on Main Motion

Resolution #2001-08-424 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Tentative Preliminary Plat Approval, granted June 5, 2000, be extended to allow Final Preliminary Plat Approval for one-year.

Yes: All-7

Motion to Carryover

Resolution #2001-08-425 Moved by Pryor Seconded by Pallotta

RESOLVED, That Preliminary Plat-Final Approval for Meadow Creek Subdivision – west of Evanswood, north of Square Lake – Section 1 and the authorization for the Mayor and City Clerk to execute the Subdivision Agreement be carried over to the City Council Study Session scheduled for Thursday, September 6, 2001.

Yes: Pryor, Beltramini, Kaszubski, Lambert, Pallotta, Schilling

No: Howrylak

RECESS: 9:54 P.M. until 10:06 P.M.

F-4 Preliminary Plan Approval – Pearl Estates Site Condominium – 3 Units – North of Long Lake Road, West of Dequindre Road – Section 12

Resolution #2001-08-426 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Pearl Estates, in the area north of Long Lake Road and west of Dequindre Road, be approved, as recommended by City Management and the Planning Commission.

Yes: All-7

F-5 CATV Advisory Committee Action

Resolution #2001-08-Moved by Pallotta Seconded by Schilling

RESOLVED, That all City Council meeting tapes be made available for the life of the tape not to exceed one-year (as space permits) at the Troy Public Library for access to citizens.

Amendment to Main Motion

Resolution #2001-08-427 Moved by Howrylak Seconded by Pryor

RESOLVED, That the proposed Resolution be **AMENDED** to strike "not to exceed one year" and insert "at least one year".

Yes: All-7

Vote on Main Motion

Resolution #2001-08-428 Moved by Pallotta Seconded by Schilling

RESOLVED, That all City Council meeting tapes be made available for the life of the tape for at least one-year (as space permits) at the Troy Public Library for access to citizens.

Yes: All-7

F-6 Renaming City Hall Plaza

Resolution #2001-08-429 Moved by Pallotta Seconded by Schilling

WHEREAS, That on October 6, 2001, the City of Troy will dedicate the Veterans Memorial Monument at City Hall Plaza in front of Troy City Hall; and

WHEREAS, That the Troy Veterans Committee have requested that as part of the Dedication Ceremony, Troy City Hall Plaza be renamed Veterans Memorial Plaza at Troy City Hall;

BE IT RESOLVED, That Troy City Council approves renaming the Plaza in front of Troy City Hall as Veterans Memorial Plaza in honor of all the men and women who have served our Country.

Yes: All-7

F-7 Preliminary Plan Approval – Peacock Farms Site Condominium – West of Rochester Road, North of Square Lake Road – Section 3

Resolution #2001-08-430 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Peacock Farms and recommended for approval by the Planning Commission and City Management, in the area west of Rochester Road and north of Square Lake Road, be approved.

Yes: All-7

F-8 Bid Waiver – Engineering Software Maintenance (Bentley Systems, Inc.)

Resolution #2001-08-431 Moved by Pallotta Seconded by Kaszubski

WHEREAS, On August 4, 1997, a two-year contract to provide software maintenance service for engineering applications was awarded to CF Engineering (Resolution #97-677-C-6).

WHEREAS, C4 Engineering was utilizing Bentley Systems, Inc. as the service provider for their contract; and

WHEREAS, Bentley Systems, Inc. is the manufacturer and sole provider of software maintenance service for engineering applications in use by the City of Troy;

WHEREAS, On October 16, 2000 the bid for a software maintenance contract was hereby waived and a contract with Bentley Systems was approved for one-year at \$11,875.00 (Resolution #2000-457).

NOW, THEREFORE, BE IT RESOLVED, That bids for the software maintenance contract are hereby waived and a contract with Bentley Systems, Inc., the manufacturer, is hereby approved for an estimated annual cost of \$19,783.40 to expire July 13, 2003.

Yes: All-7

F-9 City of Troy v Wallace Russell et. al

Resolution #2001-08-432 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That the Consent Judgment between the City of Troy and Wallace Russell, Joyce Russell, Russell's Mobil Station and Bottles & Bytes Party Store is hereby approved, and the City Attorney is authorized to execute the Consent Judgment, and a copy is to be attached to the original Minutes of this meeting.

Yes: All-7

F-10 Preliminary Engineering Services for: (a) Maple Road, Coolidge to Eton – Project No. 92.202.5; (b) Westbound Maple Road Right Turn Lane Extension at Coolidge – Project No. 00.105.5

(a) Maple Road, Coolidge to Eton – Project No. 92.202.5

1. Approval of Selection of Hubbell, Roth & Clark, Inc.

Resolution #2001-08-433 Moved by Pallotta Seconded by Schilling

RESOLVED, That the selection of Hubbell, Roth & Clark, Inc. in accordance with the Michigan Department of Transportation Consultant Selection process for Preliminary Engineering for Maple Road, Coolidge to Eton, Project No. 92.202.5, is hereby approved.

Yes: All-7

2. Approval of Contract Between City of Troy and Hubbell, Roth & Clark, Inc.

Resolution #2001-08-434 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc. and the City of Troy for consultant services for Preliminary Engineering for Maple Road, Coolidge to Eton, Project No. 92.202.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$131,456.93, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

(b) Westbound Maple Road Right Turn Lane Extension at Coolidge – Project No. 00.105.5

1. Approval of Selection of Hubbell, Roth & Clark, Inc.

Resolution #2001-08-435 Moved by Pallotta Seconded by Schilling

RESOLVED, That the selection of Hubbell, Roth & Clark, Inc. in accordance with the Michigan Department of Transportation Consultant Selection process for Preliminary Engineering for Maple Road Right Turn Lane Extension at Coolidge, Project No. 00.105.5, is hereby approved.

Yes: All-7

2. Approval of Contract between City of Troy and Hubbell, Roth & Clark, Inc.

Resolution #2001-08-436 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc. and the City of Troy for consultant services for Preliminary Engineering for Maple Road Right Turn Lane Extension at Coolidge, Project No. 00.105.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$10,693.43, under the terms and conditions of the General Engineering Services Agreement.

Yes: All-7

COUNCIL COMMENTS/REFERRALS

VISITORS

REPORTS AND COMMUNICATIONS

G-1 City of Troy Proclamations:

Resolution #2001-08-437 Moved by Pallotta Seconded by Schilling

RESOLVED, That the following City of Troy Proclamations, be approved:

(a) Service Commendation – Ron Barnard

Yes: All-7

G-2 Minutes – Boards and Committees:

- (a) Liquor Advisory Committee Minutes/Final June 11, 2001
- (b) Troy Daze/Final June 26, 2001
- (c) Building Code Board of Appeals/Final July 11, 2001
- (d) Employees' Retirement System Board of Trustees/Final July 11, 2001
- (e) Employees' Retirement System Board of Trustees/Final July 18, 2001
- (f) Traffic Committee/Draft July 18, 2001
- (g) Planning Commission/Draft July 24, 2001
- (h) Troy Daze/Draft July 24, 2001
- (i) Municipal Building Authority/Draft July 31, 2001
- (j) Building Code Board of Appeals/Draft August 1, 2001
- (k) Employees' Retirement System Board of Trustees/Draft August 8, 2001
- (I) Liquor Advisory Committee/Draft August 13, 2001

Noted and Filed

G-3 Department Reports:

(a) Permits Issued During the Month of July 2001

Noted and Filed

G-4 Announcement of Public Hearings:

- (a) Request for Commercial Vehicle Appeal 3911 Kingspoint Scheduled for Monday, September 17, 2001
- (b) Request for Commercial Vehicle Appeal 2493 E. Maple Scheduled for Monday, September 10, 2001
- (c) Request for Commercial Vehicle Appeal 6704 Livernois Scheduled for Monday, September 17, 2001

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6	• •						
(a)	E-Mail Relating a Telephone Call Received from Efficient and Careful Manner that the Water Derformed Work on Bridge Park Due to a Wa	epartment Staff Displayed When They					
(b)	E-Mail From Kevin Kiepert to Cindy Stewart in Appreciation of the Prompt Response of the DPW in Regard to the Sidewalk Repair That He Reported on Crooks Road						
(c)	E-mail From Rochelle Black to Ron Hynd Tha Residents at a Meeting Regarding The Big Be	nking Him for Sharing His Expertise With					
	Noted and F	iled					
G-7	6-7 Informational Meeting with Residents for the Reconstruction and Widening Beaver Road, Adams to Coolidge, Contract 01-8						
	Noted and F	iled					
G-8							
	Noted and F	iled					
G-9	Public Hearing Monday, August 6, 2001; Po 2001 – Crooks Road Widening and Recons to Hamlin Road (Rochester Hills)						
	Noted and F	iled					
G-10	Status of Public Hearing Issue for Propose Ordinance	d Wetlands, and Natural Features					
	Noted and F	iled					
The n	e meeting adjourned at 11:00 P.M.						
	Matt Pryor,	Mayor					

Tonni L. Bartholomew, City Clerk

A Regular Meeting of the Troy City Council was held Monday, August 6, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:39 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Pastor Stephen Husava – Northfield Hills Baptist Church, and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor

Robin E. Beltramini Martin F. Howrylak Thomas S. Kaszubski David A. Lambert Anthony N. Pallotta Louise E. Schilling

A-1 Minutes: Special Meeting of August 6, 2001 and Regular Meeting of August 6, 2001

Resolution #2001-08-418 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That the Minutes of the 6:00 PM Special Meeting of August 6, 2001 and the Minutes of the 7:30 PM Regular Meeting of August 6, 2001 be approved.

Yes: All-7

A-2 Presentation: (a) Service Commendation – Ron Barnard; (b) Presentation from WideOpenWest – ICCA Cable Television Franchise

Mayor Pryor presented a Service Commendation honoring Ron Barnard's service with the City of Troy.

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VISITOR COMMENTS

CONSENT AGENDA

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Yes: All-7

E-2 Request for Approval to Pay Residential Relocation Claim – Harold R. Thomas – Civic Center Area Improvement Project – Project No. 97.110.0 – Sidwell #88-20-21-476-006

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other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

E-6 Private Agreement for Rhode Island Road Extension – Project No. 00-960-3

Resolution #2001-08-419-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and A&M Custom Built Homes, Inc., is hereby approved for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-7 Standard Purchasing Resolution 1: Award to Low Bidder – Tee Shirt Contract

Resolution #2001-08-419-E-7

RESOLVED, That a contract to provide one-year requirements of tee shirts (various types) with an option to renew for one additional year is hereby awarded to the low bidder, Metro Printing Service, at unit prices contained in the bid tabulation opened August 1, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$18,778.15.

E-8 Request for Acceptance of Warranty Deed – Westwood Park Subdivision Detention Basin Parcel – Sidwell #88-20-21-278-020

Resolution #2001-08-419-E-8

RESOLVED, That the Warranty Deed from Gulf Livernois, Inc., having Sidwell #88-20-210-278-020, is hereby accepted for public detention and other public purposes; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby directed to record said Warranty Deed with the Oakland County Register of Deeds Office and a copy of said deed shall be attached to the original Minutes of this meeting.

ITEMS TAKEN OUT OF ORDER

E-5 Standard Resolution 1: Award to Low Bidder – Dennis Powers Drain, Section 3, Contract 01-10

Resolution #2001-08-420 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Contract No. 01-10 – Dennis Powers Drain is hereby awarded to the low bidder, Giannetti Contracting Corp., 6340 Sims Road, Sterling Heights, Michigan 48313, at unit prices contained in the bid tabulation opened August 7, 2001, a copy of which shall be attached to the original Minutes of this meeting, at an estimated total cost of \$2,247,453.50.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the original project cost.

Yes: All-7

E-9 2001 Membership Dues to the United States Conference of Mayors

No action taken at this time. Item carried over to the Regular City Council Meeting scheduled for September 10, 2001.

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) CATV Committee; (c) Civil Service Commission (Act 78); (d) Economic Development Corporation; (e) Historical Commission; (f) Liquor Committee; (g) Parks and Recreation Committee; (h) Traffic Committee; and (i) Troy Daze Committee

Resolution #2001-08-421 Moved by Pryor Seconded by Pallotta

RESOLVED, That the following person is hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(d) Economic Development Corp	<u>poration</u>	Mayor, Council Approval
Douglas Smith	_ Vacant Term Expires 04-30-20	005
Yes: All-7		
Appointments Carried-Over as Agenda Scheduled for Septem		City Council Meeting
(a) Advisory Committee for Person	ons With Disabilities	Council Appointment
	_ Student Rep Term Expires 07	-01-2002
	_ Student Rep Term Expires 07	-01-2002
(b) CATV Committee		Council Appointment
	_ Student Rep Term Expires 07	-01-2002
	_ Vacant Term Expires 04-28-20	004
(c) Civil Service Commission (Ac	et 78)	Council Appointment
	_ Vacant Term Expires 04-30-20	002
(e) <u>Historical Commission</u>		Council Appointment
	_ Student Rep Term Expires 07	-01-2002
	_ Vacant Term Expires 07-31-20	004
(f) <u>Liquor Committee</u>		Council Appointment
	_ Student Rep Term Expires 07	-01-2002
(g) Parks and Recreation Comm	<u>ittee</u>	Council Appointment
	_ Student Rep Term Expires 07	-01-2002
(h) Traffic Committee		Council Appointment
	_ Student Rep Term Expires 07	-01-2002
(i) Troy Daze Committee		Council Appointment
	_ Student Rep Term Expires 07	-01-2002

F-2 Closed Session

Resolution #2001-08-422 Moved by Pallotta Seconded by Schilling

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections (a) Personnel Evaluation of Lori Grigg Bluhm and (d), after adjournment of this meeting.

Yes: All-7

F-3 Preliminary Plat-Final Approval – Meadow Creek Subdivision – West of Evanswood, North of Square Lake – Section 1

Resolution #2001-08-Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Tentative Preliminary Plat Approval, granted June 5, 2000, be extended to allow Final Preliminary Plat Approval; and

BE IT FURTHER RESOLVED, That final approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy of which shall be attached to the original Minutes of this meeting.

<u>Amendment to Main Motion</u>

Resolution #2001-08-423 Moved by Beltramini Seconded by Howrylak

RESOLVED, That the proposed Resolution be **AMENDED** by striking:

"BE IT FURTHER RESOLVED, That final approval of the Preliminary Plat for Meadow Creek Subdivision, located west of Evanswood and north of Square Lake in Section 1, be granted as recommended by City Management; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby authorized to execute the Subdivision Agreement, a copy of which shall be attached to the original Minutes of this meeting."

Yes: All-7

Vote on Main Motion

Resolution #2001-08-424 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That Tentative Preliminary Plat Approval, granted June 5, 2000, be extended to allow Final Preliminary Plat Approval for one-year.

Yes: All-7

Motion to Carryover

Resolution #2001-08-425 Moved by Pryor Seconded by Pallotta

RESOLVED, That Preliminary Plat-Final Approval for Meadow Creek Subdivision – west of Evanswood, north of Square Lake – Section 1 and the authorization for the Mayor and City Clerk to execute the Subdivision Agreement be carried over to the City Council Study Session scheduled for Thursday, September 6, 2001.

Yes: Pryor, Beltramini, Kaszubski, Lambert, Pallotta, Schilling

No: Howrylak

RECESS: 9:54 P.M. until 10:06 P.M.

F-4 Preliminary Plan Approval – Pearl Estates Site Condominium – 3 Units – North of Long Lake Road, West of Dequindre Road – Section 12

Resolution #2001-08-426 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Pearl Estates, in the area north of Long Lake Road and west of Dequindre Road, be approved, as recommended by City Management and the Planning Commission.

Yes: All-7

F-5 CATV Advisory Committee Action

Resolution #2001-08-Moved by Pallotta Seconded by Schilling

RESOLVED, That all City Council meeting tapes be made available for the life of the tape not to exceed one-year (as space permits) at the Troy Public Library for access to citizens.

Amendment to Main Motion

Resolution #2001-08-427 Moved by Howrylak Seconded by Pryor

RESOLVED, That the proposed Resolution be **AMENDED** to strike "not to exceed one year" and insert "at least one year".

Yes: All-7

Vote on Main Motion

Resolution #2001-08-428 Moved by Pallotta Seconded by Schilling

RESOLVED, That all City Council meeting tapes be made available for the life of the tape for at least one-year (as space permits) at the Troy Public Library for access to citizens.

Yes: All-7

F-6 Renaming City Hall Plaza

Resolution #2001-08-429 Moved by Pallotta Seconded by Schilling

WHEREAS, That on October 6, 2001, the City of Troy will dedicate the Veterans Memorial Monument at City Hall Plaza in front of Troy City Hall; and

WHEREAS, That the Troy Veterans Committee have requested that as part of the Dedication Ceremony, Troy City Hall Plaza be renamed Veterans Memorial Plaza at Troy City Hall;

BE IT RESOLVED, That Troy City Council approves renaming the Plaza in front of Troy City Hall as Veterans Memorial Plaza in honor of all the men and women who have served our Country.

Yes: All-7

F-7 Preliminary Plan Approval – Peacock Farms Site Condominium – West of Rochester Road, North of Square Lake Road – Section 3

Resolution #2001-08-430 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Plan, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential development) for the development of a One-Family Residential Site Condominium known as Peacock Farms and recommended for approval by the Planning Commission and City Management, in the area west of Rochester Road and north of Square Lake Road, be approved.

Yes: All-7

F-8 Bid Waiver – Engineering Software Maintenance (Bentley Systems, Inc.)

Resolution #2001-08-431 Moved by Pallotta Seconded by Kaszubski

WHEREAS, On August 4, 1997, a two-year contract to provide software maintenance service for engineering applications was awarded to CF Engineering (Resolution #97-677-C-6).

WHEREAS, C4 Engineering was utilizing Bentley Systems, Inc. as the service provider for their contract; and

WHEREAS, Bentley Systems, Inc. is the manufacturer and sole provider of software maintenance service for engineering applications in use by the City of Troy;

WHEREAS, On October 16, 2000 the bid for a software maintenance contract was hereby waived and a contract with Bentley Systems was approved for one-year at \$11,875.00 (Resolution #2000-457).

NOW, THEREFORE, BE IT RESOLVED, That bids for the software maintenance contract are hereby waived and a contract with Bentley Systems, Inc., the manufacturer, is hereby approved for an estimated annual cost of \$19,783.40 to expire July 13, 2003.

Yes: All-7

F-9 City of Troy v Wallace Russell et. al

Resolution #2001-08-432 Moved by Pallotta Seconded by Kaszubski

RESOLVED, That the Consent Judgment between the City of Troy and Wallace Russell, Joyce Russell, Russell's Mobil Station and Bottles & Bytes Party Store is hereby approved, and the City Attorney is authorized to execute the Consent Judgment, and a copy is to be attached to the original Minutes of this meeting.

Yes: All-7

F-10 Preliminary Engineering Services for: (a) Maple Road, Coolidge to Eton – Project No. 92.202.5; (b) Westbound Maple Road Right Turn Lane Extension at Coolidge – Project No. 00.105.5

(a) Maple Road, Coolidge to Eton – Project No. 92.202.5

1. Approval of Selection of Hubbell, Roth & Clark, Inc.

Resolution #2001-08-433 Moved by Pallotta Seconded by Schilling

RESOLVED, That the selection of Hubbell, Roth & Clark, Inc. in accordance with the Michigan Department of Transportation Consultant Selection process for Preliminary Engineering for Maple Road, Coolidge to Eton, Project No. 92.202.5, is hereby approved.

Yes: All-7

2. Approval of Contract Between City of Troy and Hubbell, Roth & Clark, Inc.

Resolution #2001-08-434 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc. and the City of Troy for consultant services for Preliminary Engineering for Maple Road, Coolidge to Eton, Project No. 92.202.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$131,456.93, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

(b) Westbound Maple Road Right Turn Lane Extension at Coolidge – Project No. 00.105.5

1. Approval of Selection of Hubbell, Roth & Clark, Inc.

Resolution #2001-08-435 Moved by Pallotta Seconded by Schilling

RESOLVED, That the selection of Hubbell, Roth & Clark, Inc. in accordance with the Michigan Department of Transportation Consultant Selection process for Preliminary Engineering for Maple Road Right Turn Lane Extension at Coolidge, Project No. 00.105.5, is hereby approved.

Yes: All-7

2. Approval of Contract between City of Troy and Hubbell, Roth & Clark, Inc.

Resolution #2001-08-436 Moved by Pallotta Seconded by Schilling

RESOLVED, That the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc. and the City of Troy for consultant services for Preliminary Engineering for Maple Road Right Turn Lane Extension at Coolidge, Project No. 00.105.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$10,693.43, under the terms and conditions of the General Engineering Services Agreement.

Yes: All-7

COUNCIL COMMENTS/REFERRALS

VISITORS

REPORTS AND COMMUNICATIONS

G-1 City of Troy Proclamations:

Resolution #2001-08-437 Moved by Pallotta Seconded by Schilling

RESOLVED, That the following City of Troy Proclamations, be approved:

(a) Service Commendation – Ron Barnard

Yes: All-7

G-2 Minutes – Boards and Committees:

- (a) Liquor Advisory Committee Minutes/Final June 11, 2001
- (b) Troy Daze/Final June 26, 2001
- (c) Building Code Board of Appeals/Final July 11, 2001
- (d) Employees' Retirement System Board of Trustees/Final July 11, 2001
- (e) Employees' Retirement System Board of Trustees/Final July 18, 2001
- (f) Traffic Committee/Draft July 18, 2001
- (g) Planning Commission/Draft July 24, 2001
- (h) Troy Daze/Draft July 24, 2001
- (i) Municipal Building Authority/Draft July 31, 2001
- (j) Building Code Board of Appeals/Draft August 1, 2001
- (k) Employees' Retirement System Board of Trustees/Draft August 8, 2001
- (I) Liquor Advisory Committee/Draft August 13, 2001

Noted and Filed

G-3 Department Reports:

(a) Permits Issued During the Month of July 2001

Noted and Filed

G-4 Announcement of Public Hearings:

- (a) Request for Commercial Vehicle Appeal 3911 Kingspoint Scheduled for Monday, September 17, 2001
- (b) Request for Commercial Vehicle Appeal 2493 E. Maple Scheduled for Monday, September 10, 2001
- (c) Request for Commercial Vehicle Appeal 6704 Livernois Scheduled for Monday, September 17, 2001

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6	• •						
(a)	E-Mail Relating a Telephone Call Received from Efficient and Careful Manner that the Water Derformed Work on Bridge Park Due to a Wa	epartment Staff Displayed When They					
(b)	E-Mail From Kevin Kiepert to Cindy Stewart in Appreciation of the Prompt Response of the DPW in Regard to the Sidewalk Repair That He Reported on Crooks Road						
(c)	E-mail From Rochelle Black to Ron Hynd Tha Residents at a Meeting Regarding The Big Be	nking Him for Sharing His Expertise With					
	Noted and F	iled					
G-7	6-7 Informational Meeting with Residents for the Reconstruction and Widening Beaver Road, Adams to Coolidge, Contract 01-8						
	Noted and F	iled					
G-8							
	Noted and F	iled					
G-9	Public Hearing Monday, August 6, 2001; Po 2001 – Crooks Road Widening and Recons to Hamlin Road (Rochester Hills)						
	Noted and F	iled					
G-10	Status of Public Hearing Issue for Propose Ordinance	d Wetlands, and Natural Features					
	Noted and F	iled					
The n	e meeting adjourned at 11:00 P.M.						
	Matt Pryor,	Mayor					

Tonni L. Bartholomew, City Clerk

A Special Meeting of the Troy City Council was held Monday, August 27, 2001, in the Lower Level Conference Room at City Hall, 500 W. Big Beaver Road. Mayor Pryor called the Meeting to order at 7:37 P.M.

ROLL CALL

PRESENT: Mayor Matt Pryor

Robin E. Beltramini Thomas S. Kaszubski David A. Lambert Anthony N. Pallotta Louise E. Schilling

ABSENT: Martin F. Howrylak

Resolution to Excuse Council Member Howrylak

Resolution #2001-08-438 Moved by Schilling Seconded by Kaszubski

RESOLVED, That Council Member Howrylak be excused due to being out of town.

Yes: All-6

Electronic Agenda

Gert Paraskevin, Information Technology Director provided hands-on instruction to City Council Members

Inter-Connectability

- a) Cross Access Easements
- b) Public Streets

Traffic concerns and cross access will be included as part of site plan process.

Wetlands/Natural Features

- a) Market Value of Parcels Influenced by Proposed Ordinance
- b) Proposed Ballot Language
- c) Dates for Wetlands/Natural Features Public Hearing
 Proposed: October 9, 2001- 7:30 PM-10:00 PM Athens High School
 To be set at Regular City Council Meeting Scheduled for September 10, 2001

Explore bond issue for the purchase of wetlands.

City Council Rules and Procedures

To be placed on Agenda for Regular City Council Meeting scheduled for September 10, 2001.

Extending the 5-minute time limit to 15 minutes was discussed.

City Council will review proposed Mission Statement for the Civic Center at the September 6, 2001 Study Session.

The meeting adjourned at 10:35 P.M.	
	Matt Pryor, Mayor
	John M Lamerato Assistant City Manager/Finance and Administration

July 2, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Doug Smith, Real Estate & Development Director

SUBJECT: First Amendment to the Grand/Sakwa Brownfield Plan

On July 10, 2000, Troy City Council passed a resolution approving a Brownfield plan for the former Ford Tractor facility at Maple and Coolidge. Attached are amendments to this Brownfield Plan that will be known as the First Amendment to the Grand/Sakwa Brownfield Plan. The amendments establish the reimbursement from tax increment for documented environmental costs as approved in the initial plan adopted by the Brownfield Redevelopment Authority and Troy City Council.

These are implementation amendments and generally recognize that Grand/Sakwa Properties Inc. is eligible for reimbursement not to exceed \$2,000,000 for eligible environmental costs associated with the cleanup and redevelopment of this property. The amendments establish a 6% interest rate calculated from the date the cost was incurred, or July 10, 2000 (the date the plan was adopted) whichever is later. Finally, the amendments also amend Appendix A, which initially estimated the cost associated with remediation and Table 2, which identified the summary of cost of eligible activities and adds Table 3, which is a summary of calculated interest.

The amendments also recognize that Troy will establish a local site remediation revolving fund, which in accordance with Section 8 of Public Act 381 of 1996, permits the municipality to collect tax increment for five years after Grand/Sakwa has been fully reimbursed for its eligible costs

.

The second resolution establishes the local site remediation revolving fund as permitted by law under Section 8 of Public Act 381 of 1996. This fund is established so that a Brownfield Redevelopment Authority may capture tax increment for five years beyond the date at which a plan has fully reimbursed the owners for all eligible environmental costs, and may create a fund that permits the City to pre-pay other owners to further encourage remediation of environmentally sensitive sites, while still permitting the tax increment to be captured from those respective sites.

The Troy Brownfield Redevelopment Authority approved these changes on April 26, 2001. All amounts to be reimbursed have been documented and submitted to the Brownfield Redevelopment Authority. The Department of Law has also reviewed and concurs with these amendments. Attached is copy of the tax increment financing reimbursement agreement that would implement this amendment.

FIRST AMENDMENT TO ACT 381 BROWNFIELD PLAN

WHEREAS, on March 16, 2000, the City of Troy Brownfield Redevelopment Authority ("BRA") issued a recommendation that the Troy City Council approve the Act 381 Brownfield Plan ("Plan") submitted by Grand/Sakwa New Holland, L.L.C. and Grand/Sakwa Residential New Holland L.L.C., as successors and assigns of Grand/Sakwa Properties, Inc. ("Grand/Sakwa") for the 77+ acre mixed use development on property located at the southwest quadrant of the Maple Road and Coolidge Road intersection in the City of Troy, Michigan ("Property");

WHEREAS, on July 10, 2000, the Troy City Council approved the Plan;

WHEREAS, since the Plan was approved, Grand/Sakwa and the City of Troy have obtained certain additional facts and information and have become aware of other circumstances that merit and require this Amendment to the Plan;

WHEREAS, the City of Troy has established local site remediation revolving fund in accordance with Section 8 of Act 381;

WHEREAS, the parties agree that it is necessary and appropriate to amend the Plan to carry out the intentions of the parties as reflected in the Plan and to provide funding for the City of Troy's Act 381 local site remediation revolving fund;

THEREFORE, the Plan is hereby amended as follows:

1. Section 2.0 is amended to add the following sentence at the end of that section:

"Costs reimbursed under this Plan shall include 6% interest, calculated from the date the cost was incurred or July 10, 2000, whichever is later."

2. Section 2.1.4 is, deleted and replaced with the following:

"Section 2.1.4 Summary of Costs

Estimates of the eligible costs of eligible activities under this Plan are set forth in Appendix A, Table 1. Actual costs of eligible activities incurred by Grand/Sakwa through March 31, 2001 are summarized in Appendix A, Table 2. A summary of calculated interest on the costs outlined in Appendix A, Table 2 is presented in Appendix A, Table 3. The parties understand and agree that, because Grand/Sakwa will continue to incur costs of eligible activities approved under this Plan, Grand/Sakwa will submit additional eligible activity cost summaries, along with supporting documentation, to the BRA for reimbursement under this Plan, and that this Plan will be amended. in accordance with Section 14 of Act 381, to incorporate those additional costs into this Plan."

3. New Section 2.1.5 is added to the Plan, as follows:

"2.1.5 Local Site Remediation Revolving Fund

The costs of this Plan shall also include the capture of tax increment revenues, for a period of five (5) years after Grand/Sakwa has been reimbursed fully for its eligible costs of eligible activities approved under this Plan, to fund the local site remediation revolving fund."

4. The last paragraph of Section 2.5 of the Plan is deleted and replaced with the following:

"This Plan shall continue until Grand/Sakwa has been reimbursed fully for its eligible costs of eligible activities approved hereunder, including interest thereon, plus an additional five (5) years to capture tax increment revenues for funding the City of Troy local site remediation revolving fund."

5. The second sentence in the second paragraph of Section 2.6 of the Plan is deleted.

6. The second paragraph of Section 5.2 is deleted and replaced with the following: After Grand/Sakwa has been reimbursed fully in accordance with this Plan, tax increment revenues shall continue to be captured under this Plan for an additional period of five (5) years. Those excess captured revenues shall be deposited in the local site remediation fund, and shall be used only to pay the eligible costs of eligible activities on eligible property located in the City of Troy, in accordance with Section 8 of Act 381.

7. Appendix A of the Plan is revised as follows:

- a. The "Cost Summary (estimated)" table contained in Appendix A of the Plan is amended and now redesignated as Appendix A, Table 1, Estimated Costs, and attached hereto.
- b. Table #2, "Summary of Costs of Eligible Activities through March 31, 2001 as of July 10, 2000" is added to Appendix A of the Plan and attached hereto.
- c. Table 3, "Summary of Calculated Interest (6%) on Cost of Eligible Activities Incurred through March 31, 2001 as of July 10, 2000," is added to Appendix A of the Plan and attached hereto.
- 8. Appendix B ("Current, Estimated, and Additional Tax Revenue For Parcel 80-20-31-226-012") of the Plan is rescinded and replaced with the revised Appendix B, attached hereto.

Submitted by	Approval Recommended
	for:
Grand/Sakwa New Holland, L.L.C. Grand/Sakwa Residential New Holland, L.L.C., Grand/Sakwa Properties, Inc.	City of Troy Brownfield Redevelopment Authority
Dated:	Dated:
Approved	
for: City of Troy	
No.	경기 (1)

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APPENDIX A, TABLE 1 <u>Estimated Costs</u>

Environmental Consulting (Conestoga-Rovers & Associates - Phase I, Phase II, BEA, Due Care Plan and Related Work)	\$ 185,000
Due Care Activities (to address, slag and contaminated soils)	\$ 700,000
Soil Remediation (Residential Area, Area 7)	\$ 100,000
Asbestos Survey (Depot Building)	\$ 2,500
Demolition (Depot Building) (Parking Lot Removal)	\$ 450,000 \$ 350,000
Survey (for BEA)	\$ 25,000
Legal (regarding environmental issues)	\$ 50,000
Total	\$1,862,500

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TABLE 2 "SUMMARY OF COSTS OF ELIGIBLE ACTIVITIES THROUGH MARCH 31, 2001"

Grand/Sakwa New Holland, L.L.C. Midtown Square - Troy, Michigan Act 381 Brownfield Plan Summary of Reimbursable Costs

Category	Original Estimate	Total Cost	Binder Tab #
Environmental Consulting	\$ 185,000.00	\$ 275,653.37	1
Due Care Activities	700,000.00	776,341.22	2, 8, 9
Soil Remediation (residential Area 7)	100,000.00	·	3
Asbestos Survey (Depot Building)	2,500.00	2,500.00	4
Demolition	800,000.00	574,343.28	5
Survey (for BEA)***	25,000.00	-	6
Legal	50,000.00	118,885.32	7, 8
Subtotal	\$ 1,862,500.00	\$ 1,747,723.19	,
Accrued Interest to 3/31/2001		55,202.61	10
Total	\$ 1,862,500.00	\$ 1,802,925.80	

^{***} Note: Survey (for BEA) costs are reflected under Due Care Activities

TABLE 3 "SUMMARY OF CALCULATED INTEREST (6%) ON COST OF ELIGIBLE ACTIVITES INCURRED THROUGH MARCH 31, 2001"

Grand/Sakwa New Holland, L.L.C. Midtown Square - Troy, Michigan Act 381 Brownfield Plan Interest Expense

Agreement Date Interest Rate 6.0%

03/16/2000 Effective Date

07/10/2000

	Déscription	Beginning Mar-00	Apr-00	May-00	Jun-00	Jul-00	Aug-00	Sen-00	Oct400	Nov-no	Dec-00	lan:01	Februa.	Mar:01
												Canto	10001	HILLION
C	Cumulative balance	236,282.52	250,022.15	900,931.44	1,029,385.62	1,058,095.50	1,119,391.77	1,208,239.52	1,254,160.06	1,331,518.89	1,341,983,13	1.343,400.10	1,345,307.20	1,349,981,81
E	Days for the month	0.00	0.00	0.00	0.00	22.00	31.00	30.00	31.00	30.00	31.00	31.00	28.00	31.00
1	nterest for the month	0.00	0.00	0.00	0.00	3,826.54	5,704.30	5,958.44	6,391.06	6,566.39	6,838.60	6,845.82	6,192.10	6,879.36
<u> </u>	Sumulative interest	0.00	0.00	0.00	0.00	3,826.54	9,530.84	15,489.28	21,880.34	28,446.73	35,285.33	42,131.15	48,323.25	55,202.61
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LAW OFFICES

DYKEMAGOSSETT

PROFESSIONAL LIMITED LIABILITY COMPANY

400 RENAISSANCE CENTER

DETROIT, MICHIGAN 48243-1668

TELEPHONE (313) 568-6800 FACSIMILE (313) 568-6701 WWW.DYKEMA.COM GRAND RAPIDS, MICHIGAN LANSING, MICHIGAN WASHINGTON, D.C.

MARK D. JACOBS

BLOOMFIELD HILLS, MICHIGAN

ANN ARBOR, MICHIGAN

CHICAGO, ILLINOIS

DIRECT DIAL: (313) 568-6845 E-MAIL: MJACOBS@DYKEMA.COM

April 26, 2001

Mr. Doug Smith Real Estate and Development Director City of Troy 500 West Big Beaver Troy, MI 48084

Re: Grand/Sakwa New Holland, L.L.C. and Grand/Sakwa Residential

New Holland L.L.C. Brownfield Tax Increment Financing

Reimbursement Agreement

Dear Mr. Smith:

This Brownfield Tax Increment Financing Reimbursement Agreement ("Reimbursement Agreement") is submitted for approval by the City of Troy Brownfield Redevelopment Authority ("BRA") on behalf of Grand/Sakwa New Holland, L.L.C. and Grand/Sakwa Residential New Holland, L.L.C., as successors and assigns of Grand/Sakwa Properties, Inc. (collectively, "Grand/Sakwa"). The purpose of this Reimbursement Agreement is to establish the specifics and procedures by which Brownfield tax increment revenues, captured in accordance with Grand/Sakwa's Act 381 Brownfield Plans for the approximately 77 acre property located at the southwest quadrant of the intersection of Maple and Coolidge Roads in the City of Troy ("Plan"), will be reimbursed to Grand/Sakwa for costs incurred in connection with the eligible activities it has conducted under the Plan. We understand that the BRA will review and consider this Reimbursement Agreement at its public meeting on April 26, 2001.

On March 16, 2000, the BRA recommended that the Plan be approved by the Troy City Council. At a public hearing held on July 10, 2000, the Troy City Council passed a resolution approving the Plan. Under the approved Plan, the BRA agreed to use Brownfield tax increment revenues to reimburse Grand/Sakwa for the costs of eligible activities approved under the Plan. Best available estimates of the eligible costs of the approved eligible activities at the time the Plan was approved were summarized in Appendix A of the Plan. It also was understood that as those costs became known, Grand/Sakwa periodically would submit an accounting of the costs actually incurred to the BRA for reimbursement. A summary of the costs incurred to date, totaling \$1,747,723.19, plus interest thereon, is attached as Appendix A, Table 2 to the First



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Mr. Doug Smith April 26, 2001 Page 2

Amendment to the Plan. Those costs represent the current total costs of eligible activities performed on the commercial portion of the Property. Supporting documentation is enclosed as an Appendix to this Reimbursement Agreement. By execution of this Agreement, the BRA agrees to reimburse Grand/Sakwa for those costs subject to the City of Troy Finance Department's determination that those costs conform with the Conditions attached to this Agreement and the Plan, as amended. Construction on the residential portion of the Property will commence soon, and could give rise to additional eligible activity costs. It is understood and agreed that the cumulative eligible costs shall not exceed \$2,000,000 in total. It has been agreed that the value of the property for base year shall be \$5,421,830 as the assessed value determined on 12/31/99 for the year 2000.

The approved Plan also contained an estimate of the capturable Brownfield tax increment revenues that would be generated by Grand/Sakwa's development of the property. The estimate was attached as Appendix B to the approved Plan. Since the Plan was approved, the amount of those tax increment revenues has been refined further. Those revenues are summarized in Exhibit 2 to this Reimbursement Agreement.

Commencing on July 21, 2001, the tax increment revenues generated from the Property will begin to be captured under the Plan. In accordance with Section 16 of the Brownfield Redevelopment Financing Act, 1996 PA 381, as amended ("Act 381"), not more than 30 days after tax increment revenues are collected, the Municipal Treasurer shall submit those revenues to the BRA. Within 90 days after those revenues are submitted to the BRA, and regardless of any change in ownership and/or divisions of the Property or portions thereof, the BRA shall reimburse Grand/Sakwa the full amount of the captured revenues for the Property for that tax period, and will continue to do so semiannually (summer and winter taxes) in subsequent tax periods until such time as Grand/Sakwa has been reimbursed fully for the eligible costs of eligible activities described in this Reimbursement Agreement and the Plan, as amended, including 6% interest on those costs. Interest shall be calculated from the date the eligible cost of the eligible activity was incurred or July 10, 2000, whichever is later. A schedule of calculated interest costs is attached as Exhibit 3. Reimbursement funds shall be remitted in a check made out to Grand/Sakwa New Holland L.L.C. and mailed to:

Grand/Sakwa New Holland L.L.C. c/o Grand/Sakwa Properties, L.L.C. 28470 Thirteen Mile Road Suite 220 Farmington Hills, Michigan 48334 Attn: Hedley Williams

Grand/Sakwa understands and agrees that, in accordance with Section 13(5) of Act 381, the BRA desires to amend the Plan so that it will continue for an additional period of five (5)

DYKEMAGOSSETT PLLC	
Mr. Doug Smith April 26, 2001 Page 3	
site remediation revolving loan fund ("S 2001 meeting, the BRA will: (a) approve additional tax increment revenues for sur resolution establishing the SRF. The BR pursue single business tax credits, under	en reimbursed fully, in order to fund the City of Troy RF"). It also understands and agrees that, at its April 26, an amendment of the Plan to provide for the capture of the five (5) year period to fund the SRF; and (b) pass a A understands and agrees that Grand/Sakwa intends to 2000 PA 143, for eligible investments not covered provide such documentation as is available and may be king.
	Very truly yours,
	DYKEMA GOSSETT PLLC
	the form
	Mark D. Jacobs
Approved and agreed	
City of Troy	Grand/Sakwa New Holland, L.L.C.
Brownfield Redevelopment Authority	
By:	By:

::ODMA\PCDOCS\DET02\121603\2

September 6, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager

John Lamerato, Assistant City Manager – Finance/Administration

Doug Smith, Director of Real Estate and Development

Nino Licari, City Assessor

Re: Council questions on the Brownfield Redevelopment Act

Council questions concerning the Brownfield Redevelopment Plan were directed to Department Heads for consolidation into a this memorandum.

Questions dealt with the revolving fund, the length it may be established for, the maximum amount of dollars that may be captured, the dispensation of excess funds should the fund be terminated, or the Brownfield be dissolved, and whether funds expended may be recovered.

In order of their appearance in the Brownfield Act, Section 8 (MCL 125.2658) grants the Authority the power to create a revolving fund, and specifies how the funds may be used.

Section 13 (MCL 125.2663) 1.(e) states that a Brownfield Plan shall not exceed the requirements of subsections 4 or 5, or 30 years, whichever is less. More simply, subsection 4 stated that the Plan may not capture taxes past the year that the capture pays off all eligible costs. Subsection 5 states that additional revenues may be captured for 5 years after all eligible costs have been reimbursed.

Therefore, an authority may collect captured revenue from a plan for a period of the year following the total reimbursement of all eligible costs, up to 5 years past that time frame, with total collection time not to exceed 30 years.

Subsection 8 of Section 13 states that the authority, or the State may recover eligible costs from the person(s) responsible, with any recovered monies being used to reimburse the Authority, and all taxing jurisdictions having taxes captured.

Section 16 (MCL 125.2666) states that all surplus funds shall revert proportionately to the respective taxing bodies.

Section 18 (MCL 125.2669) states that upon dissolution of the Authority, all property and assets of the Authority shall belong to the municipality or agency designated by a resolution of the municipality.

There is no limit to the amount of funds that may be captured during the adopted period of the plan.

- (j) Procure insurance against loss in connection with the authority's property, assets, or activities.
- (k) Invest the money of the authority at the authority's discretion in obligations determined proper by the authority, and name and use depositories for its money.
- (i) Make loans, participate in the making of loans, undertake commitments to make loans and mortgages, buy and sell loans and mortgages at public or private sale, rewrite loans and mortgages, discharge loans and mortgages, foreclose on a mortgage, commence an action to protect or enforce a right conferred upon the authority by a law, mortgage, loan, contract, or other agreement, bid for and purchase property that was the subject of the mortgage at a foreclosure or other sale, acquire and take possession of the property and in that event compute, administer, pay the principal and interest on obligations incurred in connection with that property, and dispose of and otherwise deal with the property, in a manner as may be necessary or desirable to protect the interests of the authority.
- (m) Borrow money and issue its notes under the municipal finance act, Act No. 202 of the Public Acts of 1943, being sections 131.1 to 139.3 of the Michigan Compiled Laws, in anticipation of collection of tax increment revenues.
- (n) Do all other things necessary or convenient to achieve the objectives and purposes of the authority, this act, or other laws that relate to the purposes and responsibilities of the authority.
- (2) The authority shall determine the captured taxable value of each parcel of eligible property that is included in a zone. The captured taxable value of a parcel shall not be less than zero.
- (3) A municipality may transfer the funds of the municipality to an authority or to another person on behalf of the authority in anticipation of repayment by the authority.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2658 Local site remediation revolving fund. [M.S.A. 3.540(2659)]

- Sec. 8. (1) An authority may establish a local site remediation revolving fund. A local site remediation revolving fund shall consist of money available under section 13(5) and may also consist of money appropriated or otherwise made available from public or private sources. An authority shall separately account for money deposited to the fund that is directly derived from tax increment revenues levied for school operating purposes.
- (2) The local site remediation revolving fund may be used only to pay the costs of eligible activities on eligible property that is located within the zone of an authority established by the municipality.
- (3) An authority or a municipality on behalf of an authority may incur an obligation for the purpose of funding a local site remediation revolving fund.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2659 Authority as instrumentality of political subdivision. [M.S.A. 3.540(2659)]
Sec. 9. The authority shall be considered an instrumentality of a political subdivision for purposes of Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2660 Taking, transfer, and use of private property. [M.S.A. 3.540(2660)]

Sec. 10. A municipality may transfer private property taken under the uniform condemnation procedures act, Act No. 87 of the Public Acts of 1980, being sections 213.51 to 213.77 of the Michigan Compiled Laws, to the authority for use as authorized in the brownfield plan, on terms and conditions it considers appropriate. The taking, transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2661 Financing sources of authority activities. [M.S.A. 3.540(2661)]

- Sec. 11. The activities of the authority shall be financed from 1 or more of the following sources:
- (a) Contributions, contractual payments, or appropriations to the authority for the performance of its functions or to pay the costs of a brownfield plan of the authority.
- (b) Revenues from a property, building, or facility owned, leased, licensed, or operated by the authority or under its control, subject to the limitations imposed upon the authority by trusts or other control agreements.

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eligible activities on the eligible property, and the reasonable cost of preparing a work plan or remedial action plan for eligible property, and the actual cost of the department's review of the work plan or remedial action plan.

- (5) A brownfield plan may authorize the capture of additional tax increment revenue from an eligible property in excess of the amount authorized under subsection (4) during the time of capture for the purpose of paying the costs of eligible activities under subsection (3), or for not more than 5 years after the time that capture is required for the purpose of paying the costs of eligible activities under subsection (3), or both. Excess revenues captured under this subsection shall be deposited in the local site remediation revolving fund created under section 8 and used for the purposes authorized in section 8. If tax increment revenues levied for school operating purposes from eligible property are captured by the authority for purposes authorized under subsection (3), the tax increment revenues levied for deposit in the local site remediation revolving fund also may include tax increment revenues levied for school operating purposes in an amount not greater than the tax increment revenues levied for school operating purposes captured from the eligible property by the authority for the purposes authorized under subsection (3).
- (6) An authority shall not expend tax increment revenues to acquire or prepare eligible property, unless the acquisition or preparation is an eligible activity.
- (7) Costs of eligible activities attributable to eligible property include all costs that are necessary or related to a release from the eligible property, including eligible activities on properties affected by a release from the eligible property. For purposes of this subsection, "release" means that word as defined in section 20101 of part 201 (environmental remediation) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.20101 of the Michigan Compiled Laws.
- (8) Costs of a response activity paid with tax increment revenues that are captured pursuant to subsection (3) may be recovered from a person who is liable for the costs of eligible activities at an eligible property. This state or an authority may undertake cost recovery for tax increment revenue captured. Before an authority or this state may institute a cost recovery action, it must provide the other with 120 days' notice. This state or an authority that recovers costs under this subsection shall apply those recovered costs to the following, in the following order of priority:
- (a) The reasonable attorney fees and costs incurred by this state or an authority in obtaining the cost recovery.
 - (b) One of the following:
- (i) If an authority undertakes the cost recovery action, the authority shall deposit the remaining recovered funds into the local site remediation fund created pursuant to section 8, if such a fund has been established by the authority. If a local site remediation fund has not been established, the authority shall disburse the remaining recovered funds to the local taxing jurisdictions in the proportion that the local taxing jurisdictions' taxes were captured.
- (ii) If this state undertakes a cost recovery action, this state shall deposit the remaining recovered funds into the revitalization revolving loan fund established under section 20108a of part 201 (environmental remediation) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.20108a of the Michigan Compiled Laws.
- (iii) If this state and an authority each undertake a cost recovery action, undertake a cost recovery action jointly, or 1 on behalf of the other, the amount of any remaining recovered funds shall be deposited pursuant to subparagraphs (i) and (ii) in the proportion that the tax increment revenues being recovered represent local taxes and taxes levied for school operating purposes, respectively.
- (9) Approval of the brownfield plan shall be in accordance with the notice and approval provisions of this section and section 14.
- (10) Before approving a brownfield plan for an eligible property, the governing body shall provide notice and a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to express their views and recommendations regarding the plan. The authority shall fully inform the taxing jurisdictions about the fiscal and economic implications of the proposed plan before the public hearing held under section 4. The authority shall not enter into agreements with the taxing jurisdictions and the governing body of the municipality in which the zone is located to share a portion of the captured taxable value of the zone. Upon adoption of the plan, the collection and transmission of the amount of tax increment revenues as specified in this act shall be binding on all taxing units levying ad valorem

from captured taxable value of a portion of the captured taxable value or for an exclusion of the tax levy of 1 or more taxing jurisdictions unless the tax levy is excluded from tax increment revenues in section 2(u), or unless the tax levy is excluded from capture under section 15.

(c) The method by which the costs of the plan will be financed, including a description of any advances made or anticipated to be made for the costs of the plan from the municipality.

(d) The maximum amount of note or bonded indebtedness to be incurred, if any.

The duration of the brownfield plan, which shall not exceed the lesser of the period authorized under subsections (4) and (5) or 30 years.

(f) An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in

which the eligible property is located.

(g) A legal description of each parcel of eligible property to which the plan applies, a map showing the location and dimensions of each eligible property, and a statement of whether personal property is included as part of the eligible property.

- (h) Estimates of the number of persons residing on each eligible property to which the plan applies and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, the plan shall include a demographic survey of the persons to be displaced, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.
- (i) A plan for establishing priority for the relocation of persons displaced by implementation of the plan.
- (j) Provision for the costs of relocating persons displaced by implementation of the plan, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646, 84 Stat. 1894.
- (k) A strategy for compliance with Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.
 - (I) A description of proposed use of the local site remediation revolving fund.

(m) Other material that the authority or governing body considers pertinent.

- (2) The percentage of all taxes levied on a parcel of eligible property for school operating expenses that is captured and used under a brownfield plan and all tax increment finance plans under Act No. 197 of the Public Acts of 1975, being sections 125.1651 to 125.1681 of the Michigan Compiled Laws, the tax increment finance authority act, Act No. 450 of the Public Acts of 1980, being sections 125.1801 to 125.1830 of the Michigan Compiled Laws, or the local development financing act, Act No. 281 of the Public Acts of 1986, being sections 125.2151 to 125.2174 of the Michigan Compiled Laws, shall not be greater than the combination of the plans' percentage capture and use of all local taxes levied for purposes other than for the payment of principal of and interest on either obligations approved by the electors or obligations pledging the unlimited taxing power of the local unit of government. This subsection shall apply only when taxes levied for school operating purposes are subject to capture under section 15.
- (3) Except as provided in subsection (5), tax increment revenues related to a brownfield plan shall be used only for costs of eligible activities attributable to the eligible property, the captured taxable value of which produces the tax increment revenues, including the cost of principal of and interest on any obligation issued by the authority to pay the costs of eligible activities attributable to the eligible property, and the reasonable costs of preparing a work plan or remedial action plan for the eligible property. including the actual cost of the department's review of the work plan or remedial action plan under section 15.
- (4) Except as provided in subsection (5), a brownfield plan shall not authorize the capture of tax increment revenue from eligible property after the year in which the total amount of tax increment revenues captured is equal to the sum of the costs of eligible activities attributable to the eligible property including the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of and interest on any obligation issued by the authority to pay the cost of principal of any obligation issued by the authority to pay the cost of principal of any obligation issued by the authority to pay the cost of t

behalf of the authority, to fund the individual activity prior to issuance of the department's response.

(b) The individual activity has commenced or payment for the work has been irrevocably obligated prior to issuance of the department's response.

(8) It shall be in the sole discretion of an authority to propose to undertake additional response activities at an eligible property under a brownfield plan. The department shall not require a work plan or remedial action plan for either baseline environmental assessment activities or due care activities, or both, to include additional response activities.

(9) The department may reject the portion of a work plan or remedial action plan that includes additional response activities and may consider the level of risk reduction that will be accomplished by the additional response activities in determining whether to approve or reject the work plan or remedial action plan or a portion of a plan.

(10) The department's approval or rejection of a work plan or remedial action plan for additional response activities is final.

(11) The authority shall reimburse the department for the actual cost incurred by the department or a contractor of the department to review a work plan or remedial action plan under this section. Funds paid to the department under this subsection shall be deposited in the environmental response fund established under section 20108 of part 201 (environmental remediation) of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.20108 of the Michigan Compiled Laws.

(12) The department shall submit a report each year on or before March 1 to each member of the legislature that contains all of the following:

(a) A compilation and summary of all the information submitted under subsection (2).

(b) The amount of revenue this state would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year.

(c) The amount of revenue each local governmental unit would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year. History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2666 Tax increment revenues; transmission to authority; expenditure; reversion of surplus funds; abolishment of plan; financial status report; collection of financial reports by department and state tax commission. [M.S.A. 3.540(2666)]

Sec. 16. (1) The municipal and county treasurers shall transmit tax increment revenues to the authority not more than 30 days after tax increment revenues are collected.

(2) The authority shall expend the tax increment revenues received only in accordance with the brownfield plan. All surplus funds not deposited in the local site remediation revolving fund of the authority under section 13(5) shall revert proportionately to the respective taxing bodies. The governing body may abolish the plan when it finds that the purposes for which the plan was established are accomplished. However, the plan shall not be abolished until the principal and interest on bonds issued under section 17 and all other obligations to which the tax increment revenues are pledged have been paid or funds sufficient to make the payment have been segregated.

(3) The authority shall submit annually to the governing body and the state tax commission a financial report on the status of the activities of the authority. The report shall include all of the following:

(a) The amount and source of tax increment revenues received.

(b) The amount and purpose of expenditures of tax increment revenues.

(c) The amount of principal and interest on all outstanding indebtedness.

(d) The initial taxable value of all eligible property subject to the brownfield plan.

(e) The captured taxable value realized by the authority.

(f) Information concerning any transfer of ownership of or interest in each eligible property within the zone.

(g) All additional information that the governing body or the state tax commission considers necessary.

(4) The department and the state tax commission shall collect the financial reports submitted under subsection (3), compile and analyze the information contained in those reports, and submit annually a report based on that information to all of the following standing committees of the legislature:

(a) In the house of representatives, the conservation, environment, and Great Lakes committee and 00322

tax policy committee.

(b) In the senate, the natural resources and environmental affairs committee and the finance committee.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2667 Authorization, Issuance, and sale of tax increment bonds and notes. [M.S.A. 3.540(2667)]

- Sec. 17. (1) By resolution of its board, the authority may authorize, issue, and sell its tax increment bonds and notes, subject to the limitations set forth in this section, to finance the purposes of a brownfield plan. The bonds or notes shall mature in not more than 30 years and shall bear interest and be sold and be payable in the manner and upon the terms and conditions determined, or within the parameters specified, by the authority in the resolution authorizing issuance of the bonds or notes. The bonds or notes may include capitalized interest, an amount sufficient to fund costs of the issuance of the bonds or notes, and a sum to provide a reasonable reserve for payment of principal and interest on the bonds or notes. The terms of the municipal finance act, Act No. 202 of the Public Acts of 1943, apply to bonds issued under this section. The resolution authorizing the bonds shall create a lien on the tax increment revenues and other revenues pledged by the resolution that shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds or notes may be issued of equal standing and parity of lien as to the tax increment revenues and other revenues pledged under the resolution.
- (2) The municipality, by majority vote of the members of its governing body, may make a limited tax pledge to support the authority's tax increment bonds or notes or, if authorized by the voters of the municipality, may pledge its unlimited tax full faith and credit for the payment of the principal of and interest on the authority's tax increment bonds or notes.
- (3) The bonds or notes issued under this section shall be secured by 1 or more sources of revenue identified in section 7 as sources of financing of activities of the authority, as provided by resolution of the authority.
- (4) The bonds and notes of the authority may be invested in by the state treasurer and all other public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and fiduciaries and trustees, and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for 1 or more of the purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is supplemental and in addition to all other authority granted by law.
- (5) The net present value of the principal and interest to be paid on an obligation issued or incurred by an authority or by a municipality on behalf of an authority to refund an obligation incurred under this section, including the cost of issuance, shall be less than the net present value of the principal and interest to be paid on the obligation being refunded as calculated using a method approved by the department of treasury.
- (6) A bond issued by an authority under this act shall not appreciate in principal amount or be sold at a discount of more than 10% unless the bond of the authority is sold to the revitalization revolving loan fund created by section 20108a of Act No. 451 of the Public Acts of 1995, being section 324.20108a of the Michigan Compiled Laws.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2668 Operating budget. [M.S.A. 3.540(2668)]

- Sec. 18. (1) The authority shall prepare and approve a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Funds of a municipality shall not be included in the budget of the authority except those funds authorized in this act or by the governing body of the municipality.
- (2) The governing body of a municipality may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds of the authority, other than those committed for designated purposes, which cost shall be paid annually by the authority under an appropriate item in its budget.

 History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2669 Dissolution of authority. [M.S.A. 3.540(2669)]

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BROWNFIELD REDEVELOPMENT FINANCING ACT

Sec. 19. An authority that completes the purposes for which it was organized shall be dissolved by resolution of the governing body. The property and assets of the authority remaining after the satisfaction of the obligations of the authority shall belong to the municipality or to an agency or instrumentality designated by resolution of the municipality.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2670 Enforcement proceedings. [M.S.A. 3.540(2670)]

Sec. 20. The state tax commission may institute proceedings to compel enforcement of the requirements of this act.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2671 Taxes levied before December 31, 1996. [M.S.A. 3.540(2671)]

Sec. 21. An authority shall not capture tax increment revenues from taxes levied before December 31, 1996.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

125.2672 Conditional effective date. [M.S.A. 3.540(2672)]

Sec. 22. This act shall not take effect unless Senate Bill No. 919 of the 88th Legislature is enacted into law.

History: 1996, Act 381, Imd. Eff. July 24, 1996.

000324

DATE: August 27, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing - Request for Commercial Vehicle Appeal

2493 E. Maple

On July 10, 2001, follow up information was sent to Mr. Francisco Poblete that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the commercial vehicles parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. These vehicles include three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Poblete has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of September 10, 2001.

Based upon the size of the existing house on the property (1260 square feet) and the size of the existing detached garage (660 square feet), the Zoning Ordinance does not permit any additional accessory buildings to be built on the site. The Zoning Ordinance would, however, permit a significant attached garage to be constructed on the site. The size of an attached garage would only be limited by the setbacks and a 30% maximum lot coverage.

A copy of the application and photos are attached for your reference.

Should you have any questions or require additional information, kindly advise.

COMMERCIAL VEHICLE APPEAL APPLICATION

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the
NAME: TRANCISCO STORE TOBLETES TO SOLVE OF THE PROPERTY OF THE
ADDRESS: $\frac{2493}{248000000000000000000000000000000000000$
CITY:
ADDRESS OF SITE: SAME
NUMBER OF VEHICLES: 4
VEHICLE IDENTIFICTION NUMBER(S) CCE 6/4W/38920-1601H/B3YJ527/57 2FDKF376/JCB/6809-F375UFC3564
LICENSE PLATE NUMBER(S) 79-802608 - 2000 - 9188 AM - 7733-1-
DESCRIPTION OF VEHICLE(S) 3 - DUMP'S I STAKE TRUCK
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REASON FOR APPEAL (see A - D below)
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THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE
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County, Michigan **FOLLOWING:**

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

APPEAL APPLICATION **COMMERCIAL VEHICLE APPEAL APPLICATION**

ant no woled badhosets as inteldides taime 40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

nd location of the v	ched to the application, shall include: a plot plan, drawn to scale, a des phicle)s) and a photo of the vehicle on-site	·
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	(signature of applicant)	
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Commercial Vehicle Appeal 2493 E. Maple City Council: 09/10/01



DATE: August 29, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing

Oakland Mall Limited

Appeal of Provisions for Outdoor Special Events

We are in receipt of an Outdoor Special Event Application for a maze to be placed in the parking lot as part of the "Amazing Mazes and Puzzling Puzzles" program at the Oakland Mall. The proposal is for this event run from September 17 through October 31, 2001. This is a total of 45 days. Section 41.16.00 of the Troy Zoning Ordinance limits the duration of outdoor special events to not more than 7 consecutive days.

The petitioner has made application to the City Council for relief of this requirement. A copy of the application (on a Board of Zoning Appeals application) is enclosed for your reference. A public hearing on this matter has been scheduled for the City Council Meeting of September 10, 2001.

The petitioner proposes to utilize the northwest portion of the mall parking lot for the location of the event. A site plan is enclosed showing the proposed location. This event will displace approximately 325 of the mall's parking spaces.

If you have any questions regarding the above, please feel free to contact me.

APPLICATION FOR HEARING BOARD OF ZONING APPEALS CITY OF TROY

RECEIVED

AUG 1 4 2001

TO BO	DARD OF ZONING APPEALS:	DATE: 8/13/01 BUILDING
I (We)	Oakland Mall, LLC	Telephone (248) 585-4114
residir	ng at 412 W. 14 Mile Road, Troy, 48083	
	ne described property. (or attach letter of authoriz	ation from owner or leasee)
A al al	as of Deporture and as a second of Deporture and a management	48083 Lot
Addre	ss of Property: 412 W. 14 Mile Road, Troy,	48083 LOI
Subdi	vision:_ _{N/A}	Sidwell 88-20-35-400-020
Prope	rty located on the North side of 14 Mile Roa	d between 1-75
and	John R (Attach le	egal description if this is an acreage parcel)
	This appeal is taken from a permit deni- the enforcement of the Zoning Ordina	al by the Director of Building & Zoning, in nece on 8/8/01
		(date of denial letter)
	The following parts of that determination are Troy Zoning Ordinance	e being appealed: Section 41.16.00 of the
of the	se sections. The application is not applicable u	heets. Ten 8-1/2"x11" plot plans shall accompany
ordina	TION 1. VARIANCE: A variance is for the use cance, and can be granted only on showing pract. 151 and Section 43.72.00.	
Appel	lant requests a variance of the terms of the Zor	ing Ordinance in this case because the following
PECU	ILIAR OR UNUSUAL CONDITIONS are preser	nt, which justify a variance under the discretionary
power	r vested in the Board of Zoning Appeals:See	attached
The fo	ollowing practical difficulty will result if the varia	nce is not made: See attached

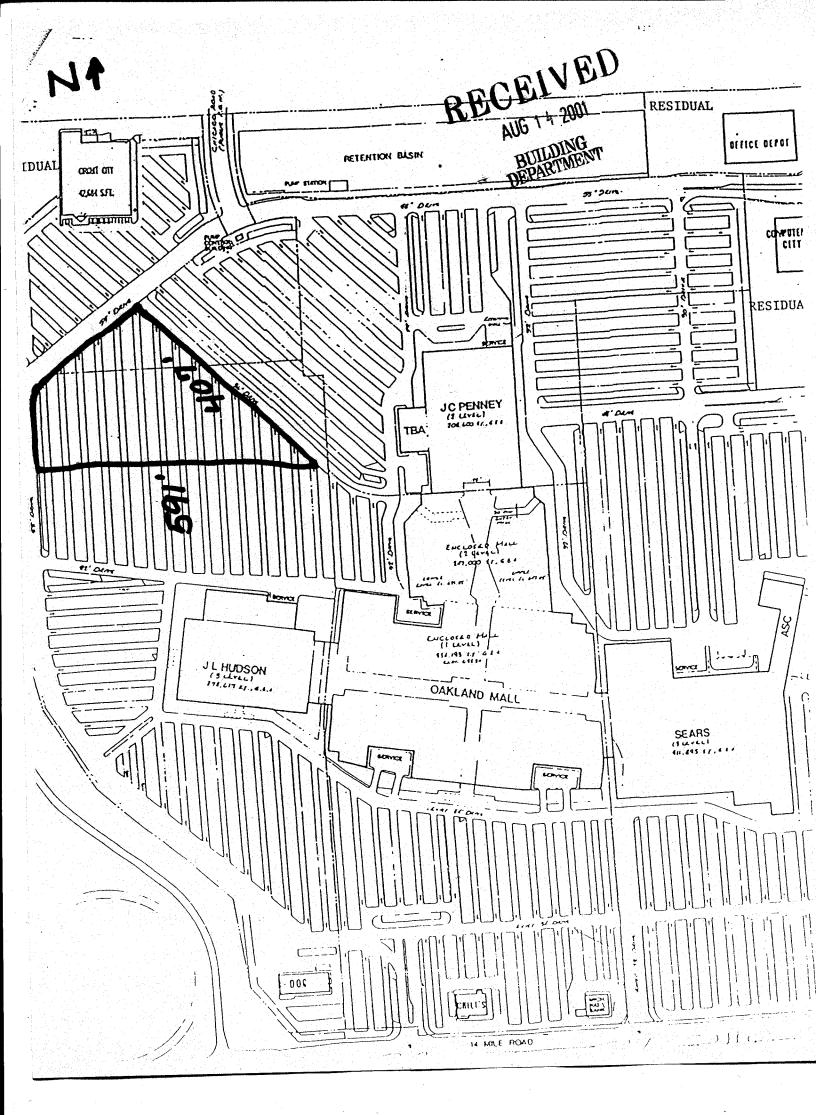
SECTION 2. INTERPRETATION: Appellant respectfully requests an interpretation be rediscretionary powers vested in the Board of Zoning Appeals - Section 43.75.00.	
An appeal is made for an interpretation of the Zoning District as follows:	
An appeal is made for an interpretation of the Zoning District as follows.	
An interpretation is requested for the following reasons:	
SECTION 3. ORDINANCE PROVISIONS - TEMPORARY PERMIT: Appellant respect	fully requests that
the following be approved pursuant to the power granted to the Board of Zoning Appeal	s under Section
43.80.00:	
사용하는 사용하는 경우 전에 보고 있는 것이 되었다. 그는 것이 되었다. 그는 것이 되었다. 그는 것이 되었다. 그는 것이 되었다. 그런 것이 없는 것이 되었다. 그런 것이 없는 것이 되었다. 그런 	
SECTION 4. EXPANSION OF NON-CONFORMING USE: Expansion of non-conforming structure is prohibited by Ordinance. However, where literal enforcement causes unnecessary an expansion may be granted. See Section 43.70.00.	ng uses or cessary hardship,
Appellant requests permission to expand a non-conforming use or structure because th	e following
exceptional conditions exist:	
Has there been any previous appeal involving this property? If Yes, provide date and p	articulars:
Has there ever been a Site Plan approval by the Planning Commission? If Yes attach a copy of the Site Plan that was approved and a copy of the Planning Commission.	, state date and on minutes.
TEN (10) COPIES ON 8-/12'X11' SHEETS ARE ATTACHED HERET	TO
STATE OF MICHIGAN	
country of <u>Cakland</u>	
HEREBY DEPOSE AND SAY THAT ALL	THE ABOVE
	UE AND
STATEMENTS AND STATEMENTS CONTAINED IN PAPERS SUBMITTED ARE TRU	SITE VISIT TO
STATEMENTS AND STATEMENTS CONTAINED IN PAPERS SUBMITTED ARE TRUCORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS TO CONDUCT A ASCERTAIN PRESENT CONDITIONS.	SITE VISIT TO
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CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS TO CONDUCT A ASCERTAIN PRESENT CONDITIONS. Date: 8 14 01 Signature of Applicant	

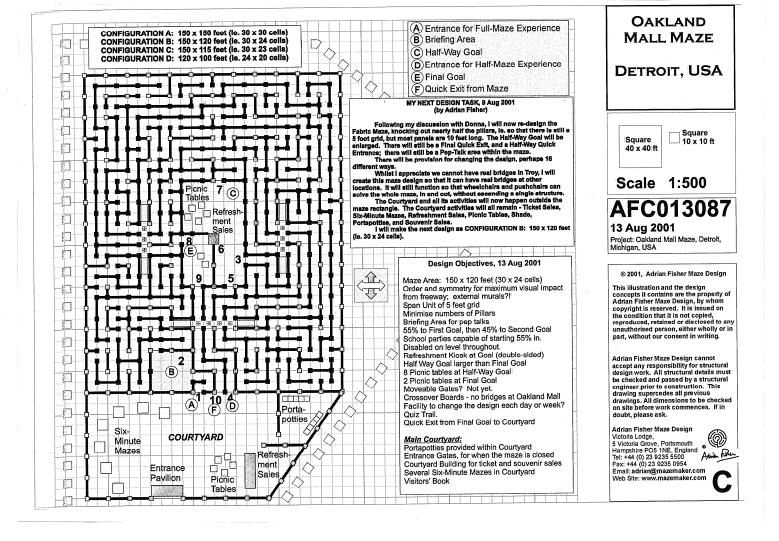
Re: Oakland Mall, LLC

SECTION 1. VARIANCE

The in-mall portion of the Amazing Mazes and Puzzling Puzzles promotion is 28 days long. For maximum school group impact and program consistency, the exterior portion of this educational exhibit would need to begin on the same date (September 17, 2001). Furthermore, given the time of year, this program is a natural complement to the Halloween season and it would be beneficial to keep the maze in tact through Halloween (October 31, 2001) for a total of 45 days.

A promotion of this scale is quite costly and requires advance construction of the elements involved. If the variance is not made, Oakland Mall Merchants Association would take a substantial financial hit that would not be recoverable. Additionally, Local school children would be denied the opportunity to maximize their educational field trip to the Amazing Mazes and Puzzling Puzzles exhibit.





RECEIVED



OUTDOOR SPECIAL EVENT APPLICATION

CITY OF TROY

DEPARTMENT OF BUILDING INSPECTIONS 500 W. BIG BEAVER ROAD TROY, MICHIGAN 48084 248-524-3344 AUG 14 2001

BUILDING DEPARTMEN

TDOOR SPECIAL EVENT

Date: 8/13/01			
Outdoor Special Events are permitted by the Zoning Ordin Please provide the information requested below and return Department, 500 West Big Beaver, Troy, MI 48084. Your compliance with the Ordinance. If you have questions or 3581.	n it to the City of T	roy Building	J &
NAME OF THE EVENT: Amazing Mazes and Puzzling P	uzzles		
LOCATION OF EVENT: Unused lot between Circuit Control of Oakland Mall property. SIDWELL (Property ID) NUMBER: 88-20-35-400-020	ity and Marshall	Field's on	the
NAME OF APPLICANT: Oakland Mall, LLC			
ADDRESS OF APPLICANT: 412 W. 14 Mile Road		N.	
CITY: Troy STATE: MI	ZIP:	083	
PHONE NUMBER: (248) 585-4114 FAX	(:(248) 585-2440	ı	
DATE(S) OF EVENT: FROM: 9/	17/01 T C) : <u>10/31/01</u>	
WILL TENTS BE ERECTED? (FEE IS \$30)	YES:	NO): <u>X</u>
(IF YES, SEE ATTACHMENT FROM FIRE DEPARTMENT)			
WILL FOOD BE SOLD/SERVED TO PUBLIC? (IF YES, CALL OAK. CNTY. HLTH. DIV. AT 248-424-7190)	YES:	NO: X	
TEMPORARY LIGHTING OR ELECTRICAL? (MIN. FEE IS \$29 (IF YES, OBTAIN ELECT. PERMIT & ARRANGE INSPECTION	5) YES: N)	NO:X	• •
ADDITIONAL SIGNS? (FEE IS \$30) (IF YES, OBTAIN SIGN PERMIT)	YES:X	NO:	
In addition to the above information, please include a brief event, including what activities will take place, your plan to restrooms needs, etc. Also, attach 2 copies of a detailed simple on site the special event will take place, location of elanes, tents and signs.	handle traffic cont	rol, litter,	
APPROVED BY: COPY TO FIRE DEPARTMENT:	DATE:		
	DATE:		

REVISED 5-19-00

DATE: August 29, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services Mark Stimac, Director of Building and Zoning

SUBJECT: Parking Variance Request

627 E. Maple

We have received an application from L. Mason Capitani, Leasing Agents, to lease a portion of an existing office building at 627 E. Maple for a medical office building. The proposal would result in 5822 square feet of the existing 10,322 square foot building being used for medical offices with the remaining 4500 square feet being used for general office. Section 40.21.70 of the Zoning Ordinance requires that a minimum of 67 parking spaces be provided on this site with this arrangement. The plans submitted with the application indicate that there are only 44 parking spaces available on the site. The proposed tenant, Concentra, currently occupies a medical office building at 264 W. Maple Road in Troy. In response to our denial of the building permit, the applicant has filed an appeal for the deficiency of the 23 spaces.

A Public Hearing has been scheduled for your meeting of September 10, 2001 in accordance with Section 44.01.00.

We have enclosed copies of the petitioner's application and supporting documentation as well as a copy of the site plan of the facility for your reference. We will be happy to provide additional information regarding this request if you desire.

Attachments:

PARKING VARIANCE APPLICATION RECEIVED FOR PUBLIC HEARING BEFORE CITY COUNCIL AUG 0 8 2001 CITY OF TROY

BUILDING DEPARTMENT

2001

	Y CITY CC		
			DATE: August 6,

Request is hereby made for a variance to modify the City Council or contrary to a decision rendere permit.	y the parking provision ed by the Building Offi	ns of the Zoning O icial in denying an	rdinance enacted by application for a
Applicant: Concentra c/o L. Mason Capita	nni, Inc.	Phone:	248-637-9700
Address: 2301 W. Big Beaver, Suite 625	5, Troy, MI 48084		
Address of Property: 627 E. Maple Road,	Troy, MI 48083		
Lot # <u>46 + 47</u> , 48, 70 Subdivision: <u>Be</u>	ech Grove Heights	Sub	
Zoning District: 0 - 1 Sidwe	ell # <u>20-27-403-04</u>	6, 20-27-403-04	5,20-27-403-044
Owner of Property: East Maple Office	Plaza LLC	Phone	3. de la companya de Baranta de la companya de la
This appeal is made on a determination by the Zoning Ordinance, in a letter dated:			he enforcement of
Has there been a previous appeal involving			
and particulars			
REASON FOR VARIANCE:			
Dimension of Stall?	Parking Spa	ces Required:	67
Number of Stalls?44	Parking Space	ces Provided:	44
Other Dimensions?	Variance Re	quested:	23
Outline your appeal, listing sections of the o	rdinance from which	n relief is sought	and also outline

your proposals, indicating your hardships. (continued on back of page)

Filing Fae \$200.00

PLOT P	LAN	OF S	SITE ATT	CHED	HERET	O

STATE OF MICHIGAN)		
COUNTY OF OGELAND		
HEREBY DESPOSE AND SAY THAT ALL THI THE ATTACHED PAPERS AND SITE PLANS S		
Date: <u>AUGUST 6, 2001</u>	(Signature of Applicant)	
Signed and Sworn to before me this 614	day of	18-2001
Notary Public Christopher S. Dowell		
My Commission Expires: 3-67-2002		

Date/Raid

Rev: 5/1997



We Make it Happen Realtors of Industrial & Office Properties

2301 West Big Beaver Suite 625 Troy, MI 48084-3329 (248) 637-9700 Facsimile (248) 637-9897 www.lmcap.com

August 6, 2001

Mr. Rick Kessler Department of Building Inspections CITY OF TROY 500 W. Big Beaver Road Troy, MI 48084

RE: Parking Requirement

627 E. Maple Road, Troy, MI

Dear Mr. Kessler:

I am a real estate broker working on behalf of the owner of the property located at 627 E. Maple Road, East Maple Office Plaza LLC. This letter is intended to clarify the existing situation at 627 E. Maple as well as our request for a parking variance of twenty three (23) parking spaces.

627 E. Maple Road is a 10,322 square foot, free standing office building constructed in 1999-2000. Approximately 4,500 square feet of the building is currently leased to SAIA-Burgess Electronics, a multinational manufacturer of switches for the auto industry. SAIA-Burgess uses the space at 627 E. Maple Road for administrative and sales purposes. The balance of the building, 5,822 square feet has been available for lease for more than a year. Due to my company's marketing efforts, we have secured Concentra Health Services, Inc. as a prospective tenant for the available space. However, their profession is medical in nature and the existing parking provided at 627 E. Maple does not meet the city's requirements of one (1) space for each one hundred square feet of usable floor space. Concentra has indicated that although their use is medical, the provided parking at 627 E. Maple is more than sufficient for their use (see parking analysis and site plan attached).

The Concentra team includes primary care physicians, physical therapists, injury management experts, cost containment nurses, medical and vocational case managers, and preferred provider network professionals. Concentra provides a valuable service for the local community and we are looking forward to potentially having them as a tenant at 627 E. Maple. We hope to work with the City of Troy to alleviate this parking concern and make Concentra's potential tenancy a reality.













Mr. Kessler August 6, 2001 Page Two

Thank you for your consideration. Please feel free to contact me at (248) 637-7795 with any questions or comments.

Very Truly Yours,

L. MASON CAPITANI, INC.

Mason L. Capitani, SIOR Executive Vice President

cc:

J. Poggi

J. Hauska

G. Grochowski

G. Trout

K. Newton

August 14, 2001

RECEIVED

AUG 1 8 2003

BUILDING DEPARTMENT

Mr. Rick Kessler Plan Examiner/Coordinator City of Troy 500 West big Beaver Road Trov. Michigan 48084

RE:

Concentra Health Services

627 E. Maple Troy, Michigan

Dear Mr. Kessler:

Concentra Health Services is interested in leasing the above referenced facility. However, it has been brought to our attention that a parking variance will be required for our occupancy in this facility. As a current tenant in Troy at 264 West Maple Road, we strongly desire to remain in Troy, but our current facility does not meet our requirements.

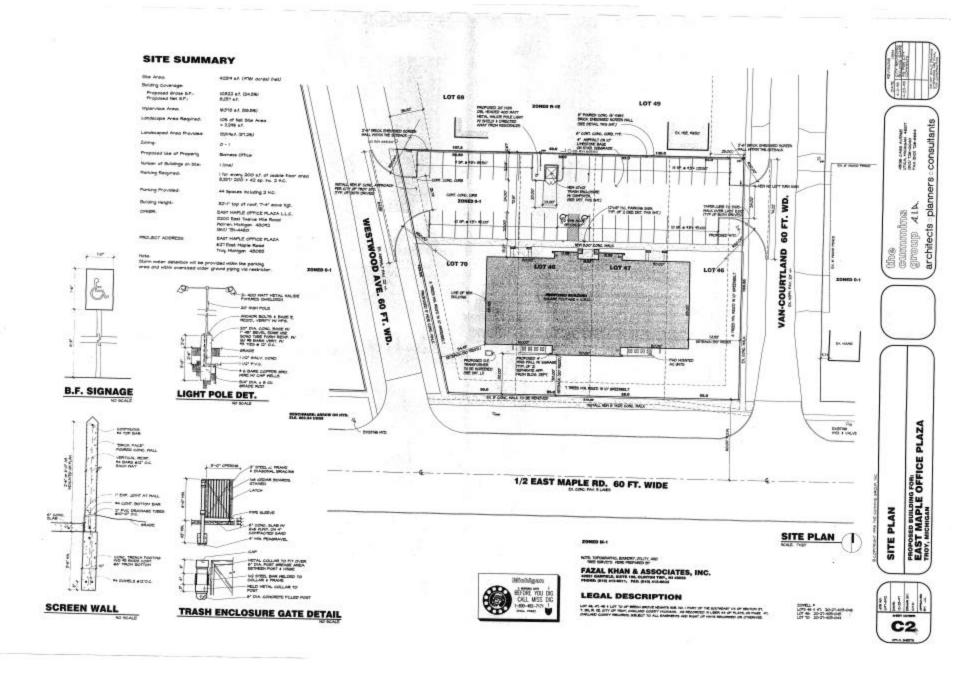
Concentra provides occupational health services to over 1500 client employers in the Troy & Madison Hts areas. Our Troy center experiences approximately 100 patient encounters during the hours of 7:00am to 5:00pm, Monday through Friday. As a 24-hour, 7 day a-week operation, we also see a few of patients during non-business hours. The center employees 15 staff members, including medical and therapy providers.

Based on our local and national experience, we do not require more than the 25 parking spaces that are provided at the property. Given this, we would appreciate your assistance in securing the parking variance so that we can move forward in leasing this facility and keeping our office in Troy.

Sincerely

teve Higginbotham

30800 TELEGRAPH RD., SUITE 3900, BINGHAM FARMS, MI 48025 P.O. BOX 5106, SOUTHFIELD, MI 48086-5106, (248) 712-2100, FAX (248) 712-2320



August 14, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Charles Craft, Chief of Police Gary Mayer, Police Captain

George Zielinski, Police Sergeant

SUBJECT: Application to drop and add co-licensees of 2000 B-Hotel license by CHC

REIT LESSEE CORP. (MARRIOTT-TROY)

CHC REIT LESSEE CORP. (Marriott Troy) has requested to drop GENCOM LESSEE and PA TROY HOSPITALITY INVESTORS as co-licensees, and add CHC REIT MANAGEMENT CORP. and MAR-TY, LLC as co-licensees to their B-Hotel license.

The Liquor Advisory Board recommended approval of this application at its August 13th meeting. Present at that meeting to answer questions from the Board was Mr. John Carlin, Attorney for CHC REIT LESSEE CORP. who confirmed this was a simple change in co-licensees to accommodate a corporate re-structuring. There will be no changes whatsoever to the operations or upper management of Marriott Troy.

The police department's background investigation of CHC REIT LESSEEE CORP. and its officer reveal no criminal history. The last violation by Marriott Troy was on 07/28/00 for Sale to Minor. That charge was ultimately dismissed due to witnesses failing to show. (Our records show we never received notice of a re-scheduled hearing date.) We have no objection to this request.

Michigan Department of Consumer & Industry Services LIQUOR CONTROL COMMISSION

7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

POLICE INVESTIGATION REQUEST [Authorized by MCL 436.1(4)]



To: Troy Police Department
Chief of Police
500 West Big Beaver Roa

500 West Big Beaver Road Troy, MI 48084-5285 Date: November 28, 2000

REF#:

REQ ID#:95266

Chief Law Enforcement Officer

Applicant:

CHC REIT LESSEE CORP. (A FLORIDA CORPORATION) requests to drop GENCOM LESSEE, LIMITED PARTNERSHIP (A DELAWARE LIMITED PARTNERSHIP) and PA TROY HOSPITALITY INVESTORS, LIMITED PARTNERSHIP (A VIRGINIA LIMITED PARTNERSHIP) as colicensees and add CHC REIT MANAGEMENT CORPORATION (A FLORIDA CORPORATION) and MAR-TY, LLC (A DELAWARE LIMITED LIABILITY COMPANY) as colicensees in 2000 B-Hotel licensed business with Dance-Entertainment Permit, Official Permit (Food), and 8 bars, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County. Applicant also requests New SOM.

Please make an investigation of the application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

If you have any questions, contact the Licensing Division at (517) 322-1400, after 10:00 a.m.

LC-1972 Rev. 6/92 4880-1658

POLICE INSPECTION

REPORT ON LIQUOR LICENSE REQUEST (Authorized by MCL 436.7a)

EREQUEST 150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

Important: Please conduct your investigation as soon as possible and complete all four sections of this report.

Return the completed report and fingerprint cards to the Commission.

BUSINESS NAME AND ADDRESS: (include zip code) CHC REIT LESSE (A FLORIDA CORPORATION), and MAR-TY, ILC (A DELAWARE LITTroy, MI 48084, Oakland County	E CORP. (A FLORIDA CORPORATION), CHC REIT MANAGEMENT CORPORATION MITED LIABILITY COMPANY) (CO-LICENSEES), 200 W. Big Beaver,
REQUEST FOR: Drop GENOOM LESSEE, LIMITED PARINERSHIP (A LIMITED PARINERSHIP) as	DELAWARE LIMITED PARINERSHIP) and PA TROY HOSPITALITY INVESTORS, co-licensees and add CHC REIT MANACEMENT CORPORATION (A FIORIDA ITY COMPANY) as co-licensees in 2000 B-Hotel licensed business, and 8 bars. His references to 2000 B-Hotel licensed business formation NOT APPLICABLE
APPLICANT#1: CHC HOTELS & RESORTS CORP. — Stockholder in CHC REIT MANAGEMENT CORPORATION (A FLORIDA CORPORATION) (CO-LICENSEE)	
HOME ADDRESS AND AREA CODE/PHONE NUMBER: 1950 Stemmons Freeway, Suite 6001 Dallas, TX 75207 (214)863-1000	same address & phone # as CHC HOTELS & RESORTS CORP.
DATE OF BIRTH:	DATE OF BIRTH:
If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? Yes No o Does the applicant have a Visa? Enter status:	If the applicant is not a U.S. Citizen: o Does the applicant have permanent Resident Alien status? ☐ Yes ☐ No o Does the applicant have a Visa? Enter status:
Date fingerprinted:	 Date fingerprinted:
Attach the fingerprint card and \$15.00 for ea	nch card and mail to the Liquor Control Commission.
ARREST RECORD: Felony Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)	ARREST RECORD: Felony Misdemeanor Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)
Can living quarters be reached from the inside of the establishment Does applicant intend to have dancing or entertainment? No Yes, complete LC-693N, Police Investigation Report Are gas pumps on the premises or directly adjacent? No	
Section 3. Local and State Codes and Ordinar	nces, and General Recommendations
Will the applicant's proposed location meet all appropriate state and ordinances, if this license is granted? Yes No	local building, plumbing, zoning, fire, sanitation and health laws and
If you are recommending approval subject to certain conditions, list to	the conditions: (Attach a signed and dated report if more space is needed)
Section 4. Recom	mendation
From your investigation: 1. Is this applicant qualified to conduct this business if licensed? 2. Is the proposed location satisfactory for this business? 3. Should this request be granted by the Commission? 4. If any of the above 3 questions were answered no, state your	☐ Yes ☐ No ☐ Yes ☐ No
Signature (Sheriff or Chic	ef of Police) Date

STATE OF MICHIGAN **DEPARTMENT OF CONSUMER & INDUSTRY SERVICES**

LIQUOR CONTROL COMMISSION 7150 Harris Drive P.O. Box 30005 Lansing, MI 48909-7505

PI NUMBER:95266

CITY

LOCAL LAW ENFORCEMENT AGENCY REPORT

DANCE/ENTERTAINMENT/TOPLESS ACTIVITY PERMIT (Authorized by MCL 436.1916)

CHC	REIT MAN	EE CORP. (A FLORIDA CORPORA AGEMENT CORPORATION (A FL A DELAWARE LIMITED LIABILIT	ORIDA	CORP	ORATI	ON) (C		ENSEE)		
	CANT/LICENS		1 COM	u AIVI) (00-1	BICLIN	in the second se		PHONE	NUMBER
STREE	ET ADDRESS	CITY		ТО	WNSHIP			COU	NTY	ZIP
	PE	IMIT(S) REQUESTED: DANCE	ENTE	RTAIN	MENT	то	PLESS	ACTIVI'	ry	
1.		floor will not be less than 100 squar ers. YES □ NO □ N/A □	e feet, is	s clearl	y marko	ed and	well def	ined whe	en there is	dancing
2.	Describe t	he type of entertainment applicant/lie	censee w	vill pro	vide:	N/	A 🗆			
3.	Will this ϵ	entertainment include topless activity			NO		N /.	A 🗆		
		LAW ENFORCEM	ENT RE	COM	MENDA	TION				
		DANCE PERMIT	YES		NO		N/A			
		ENTERTAINMENT PERMIT	YES		NO		N/A			
		TOPLESS ACTIVITY PERMIT	YES		NO		N/A			
REM.	ARKS:									
	DATE SUBMITTED		OFFICER'S SIGNATURE							
				DE	PARTMEN	T NAME			PHONE N	UMBER

ADDRESS

Michigan Department of Consumer & Industry Services

LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505

APPLICATION FOR OFFICIAL PERMIT FOR DIFFERENCE IN HOURS OF OPERATION

(Authorized by MAC R 436.1437)

Applicant or Licensee Name: CHC REIT LESSEE CORP. (A FLORIDA CORPORATION), CHC REIT MANAGEMENT CORPORATION (A FLORIDA CORPORATION), and MAR-TY, LLC (A DELAWARE LIMITED LIABILITY COMPANY) (CO-LICENSEES)
Address:
Type of License:
The Commission is requested to grant an after hours permit for: (check boxes that apply)
Operating our restaurant for the sale of food
Operating night league bowling, tournaments or Sunday morning bowling
Registering golfers
Registering Skiers
Registering Tennis Players
Other:
During the Hours of: Weekdays A.M. to A.M.
Sundays A.M. to A.M.
It is understood that customers shall not be on the licensed premises for any activity other than the requested activity.
Licensee or Applicant Signatures:
LOCAL LAW ENFORCEMENT RECOMMENDATION
To Law Enforcement Agency:
This application is for official permits allowing the after hours operations indicated above. Please enter your recommendations below and return one signed copy to the Commission. Thank you.
Recommended. Comments:
Recommended except for permit.
Not Recommended
Signature and Title Date:
10.000

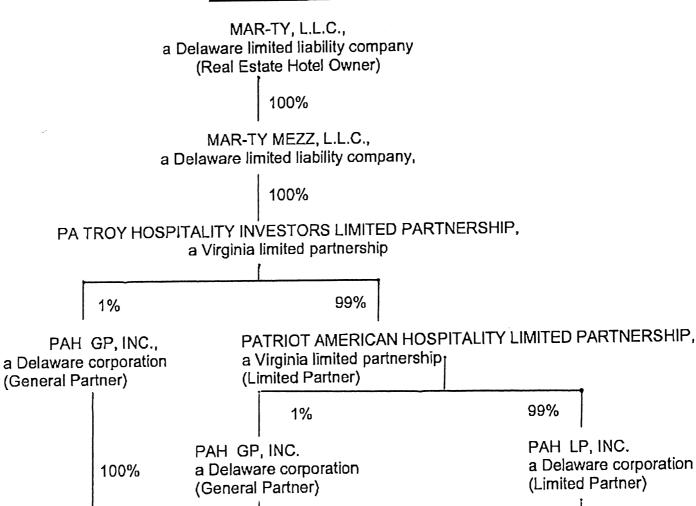
LC-1112 Rev. 06/00

MAR-TY, L.L.C.

Officer/Title	Race/Sex	DOB	Address
President Frederick John Kleisner	C / M	9/5/44	3510 Turtle Creek #17A Dallas, Texas 75219
Vice President Theodore Teng	A / M	1/8/56	5228 Sky Lake Drive Plano, Texas 75093
Vice President / Treasurer Judy Lowe Hendrick	C / F	3/5/53	18716 Wainsborough Lane Dallas, Texas 75287
Vice President / Secretary Mark Milenko Chloupek	C / M	10/20/71	4433 Hyer Street Dallas, Texas 75205
Vice President / Asst. Secre John Paul Bohlmann	tary C / M	1/2/46	4015 Kirkmeadow Lane Dallas, Texas 75287

Bimfield.04246.00190.302916-1

OWNERSHIELGHARD



100%

a Delaware corporation

PATRIOT AMERICAN HOSPITALITY, INC.,

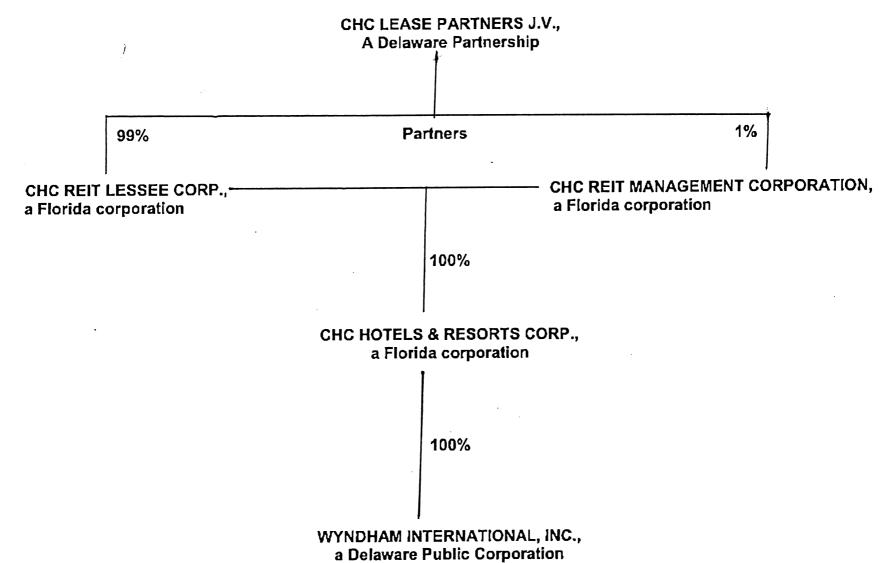
100%

1%

100%

WYNDHAM INTERNATIONAL, INC., a Delaware public corporation

Revised Ownership Chart



LCC Liquor Licensee History

Business name: Troy Marriott Hotel

Address: 200 W. Big Beaver

Licensee: CHC Reit Lessee Corp.; Gencom Lessee LP; PA Troy Hospitality Investors, LP

License type: **B-Hotel** (30829-2000)

Permits: Sunday Sales, D/E, Official (Food), 8 Bars

Comments: Mike Feigenbaum, General Manager 680-9797

5.	Troy	_	B: W B:
Date	Incident #	Туре	Disposition Date
1/22/90		Council approved license	
10/17/90	90-32277	Sale to minor (compliance test)	Fined \$400 11/26/91
6/17/92	92-17111	Sale to minor (compliance test)	Fined \$200 each count 3/10/93
12/20/92	92-38954	3 counts Allow fights, brawls, etc.; allow intoxicated person to loiter; allow annoying & molesting of customers.	
11/22/93	93-36579	Sale to minor (compliance test)	Fined \$1000 1/24/94 each count 24 hour suspension served 3/4/94
10/2/95	MLCC	Fail to Maintain Records, Sell an interest w/o approval, obtain license in it's name to benefit another, allow corp. whose name doesn't appear on license to derive benefit from license. Fined \$800.	
6/3/96		Council grants transfer of license to CHC Reit Lessee Corp and Gemcom Lessee, LP.	
3/3/97		Council grants request for PA Troy hospitality Investors, LP to become partner.	
12/18/97	97-45894	Sale to minor (compliance test)	MLCC Fined \$600. 6/10/98
01/02/99	99-00144	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/22/99	99-07201	Liquor Inspection (Road Patrol)	NO VIOLATIONS

06/24/99	99-24029	Compliance Test	PASSED
11/23/99	none	Compliance Test	PASSED
01/01/00	MLCC	Sell unlimited qty alcohol at one price Allow unlawful gambling (with raffle tickets) Allow unlawful gambing (raffle tickets) Allow contest with prize > \$250	\$300 11/13/00 \$300 11/13/00 \$300 11/13/00 \$300 11/13/00 \$1200
07/28/00	00-27507	Sale to Minor-Compliance Test	DISMISSED witnesses failed to show Hearing was postponed from 01/03/01, but we never received a reschedule date!
08/13/00	00-29766	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/25/00	00-39555	Compliance Test	PASSED
11/17/00	00-42661	Compliance Test	PASSED
11/30/00	00-44305	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/16/01	01-01878	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/26/01		Council Show Cause- resolution to require all s TIPS/TAM training with proof to PD within 60 da	
03/19/01	01-09496	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/25/01		Proof of TIPS received	
06/06/01	01-19813	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/20/01	01-21798	Liquor Inspection (Road Patrol)	NO VIOLATIONS

- (d) Allow the sale, possession, or consumption on the licensed premises of any controlled substances that are prohibited by Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws.
- (e) Allow narcotics paraphernalia to be used, stored, exchanged, or sold on the licensed premises.
- (6) A retail licensee shall not sell any alcoholic liquor off the licensed premises except as follows:
- (a) An on-premises licensee may provide out-of-doors service if done in accord with the provisions of R 436.1419.
- (b) An off-premises licensee may deliver a pre-ordered quantity of alcoholic liquor to a customer; however, a delivery shall not be made to any customer on the campus of any 2- or 4-year college or university, unless the customer is licensed by the commission.
- (c) An off-premises licensee may provide out-of-doors service if done in accord with the provisions of R 436.1521. **History:** 1979 ACS 4, Eff. Feb. 3, 1981; 1979 ACS 16, Eff. Nov. 15, 1983; 1985 12, Eff. Jan. 1, 1986; 1994 MR 12, Eff. Dec. 16, 1995.

R 436.1013 Gambling and gambling devices prohibited.

Rule 13. (1) A licensee shall not allow unlawful gambling on the licensed premises.

(2) A licensee shall not allow any gambling devices on the licensed premises which are prohibited by the statutes of this state.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1015 Display of license and permit.

Rule 15. (1) Licenses issued by the commission shall be signed by the licensee, shall be framed under a transparent material, and shall be prominently displayed in the licensed premises.

(2) Permits issued by the commission to a licensee shall be framed under a transparent material and shall be prominently displayed in the licensed premises adjacent to the liquor license.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1017 Prohibited sales of alcoholic liquor.

Rule 17. (1) A licensee shall not sell, offer or keep for sale, furnish, possess, or allow a customer to consume, alcoholic liquor which is not authorized by the license issued to the licensee by the commission.

(2) A licensee shall not knowingly sell or furnish alcoholic liquor to a person who maintains, operates, or leases premises which are not licensed by the commission and upon which other persons unlawfully engage in the sale or consumption of alcoholic liquor for a fee or other valuable consideration.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1019 Contests.

Rule 19. A licensee shall not participate in or sponsor any contest that requires the use or consumption of alcoholic liquor or features alcoholic liquor as a prize in connection with a contest.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1021 Sale to licensed truck driver salesman.

Rule 21. A licensee shall not knowingly sell, give, or furnish alcoholic liquor to a licensed truck driver salesman who is employed by a licensee while the truck driver is on duty or in the course of employment.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1023 Sale or transfer of license; transfer of location; alteration of premises; lease, sale or transfer of premises.

Rule 23. (1) A licensee shall not sell or transfer an interest in a business licensed by the commission without the prior written approval of the commission

- (2) A licensee shall not transfer the location of the licensed premises without the prior written approval of the commission
- (3) A licensee shall not, without the prior written approval of the commission, do any of the following
- (a) Make an alteration in the size of the physical structure of the licensed premises.
- (b) Add or drop any space to or from the physical structure of the licensed premises
- (c) Install any additional bars, if the licensee holds a class C or B hotel license.
- (4) A licensee shall not lease, sell, or transfer possession of a portion of the licensed premises without the prior written approval of the commission.

History: 1979 ACS 4, Eff. Feb. 3, 1981.

R 436.1025 Storing of alcoholic liquor.

The meeting was called to order at 7:37 p.m. by James Moseley in Conference Room C.

PRESENT: David Balagna ABSENT: Max Ehlert

W. Stan Godlewski Thomas Sawyer James Moseley John Walker

James Peard Jennifer Gilbert, Student Rep

Sergeant George Zielinski

Marsha Livingston, Office Coordinator

Moved by Balagna, seconded by Peard, to EXCUSE the absent member(s). APPROVED unanimously

Moved by Balagna, seconded by Godlewski, to APPROVE the minutes of the June 11, 2001 meeting as printed.

APPROVED unanimously

AGENDA ITEMS:

1. CHC REIT LESSEE CORP. (A FLORIDA CORPORATION) requests to drop GENCOM LESSEE, LIMITED PARTNERSHIP (A DELAWARE LIMITED PARTNERSHIP) and PA TROY HOSPITALITY INVESTORS, LIMITED PARTNERSHIP (A VIRGINIA LIMITED PARTNERSHIP) as co-licensees and add CHC REIT MANAGEMENT CORPORATION (A FLORIDA CORPORATION) and MAR-TY, LLC (A DELAWARE LIMITED LIABILITY COMPANY) as co-licensees in 2000 B-Hotel licensed business with Dance-Entertainment Permit, Official Permit (Food), and 8 bars, located at 200 W. Big Beaver, Troy, MI 48084, Oakland County, and requests a new SDM license. [MLCC REF#95266]

Present to answer questions from the committee was John Carlin.

Mr. Carlin distributed copies of the previous ownership chart and the current ownership chart to show the members. The previous owner, CHC Hotels & Resorts Corp, was bought out by Wyndham International, Inc. so the hotel became a subsidiary of Wyndham International, Inc. Then Patriot American Hospitality, Inc. merged with Wyndham International, Inc. and became a new subsidiary of Wyndham. The changes effected only this hotel and a hotel in Saginaw, Michigan. Basically, top management are the only people that know about this change in ownership.

There has been only one violation in July 2000, which ended up being dismissed. The violation was for Sale to Minor.

There will be no changes in the hotel, which will still be operated by Marriott. Upper management people have all stayed the same.

Moved by Balagna, seconded by Peard, to APPROVE the above request. APPROVED unanimously

A discussion was held by members of the committee regarding sending a memo to City Council from the committee to limit liquor licenses (transfers/resorts).

Moved by Balagna, seconded by Godlewski, to APPROVE the above request. APPROVED unanimously

Moved by Peard, seconded by Balagna, to ADJOURN the meeting at 7:54 p.m. APPROVED unanimously

ML/mI

August 15, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Jeanette Bennett, Purchasing Director

Charles T. Craft, Chief of Police

SUBJECT: Standard Purchasing Resolution 6: Grant Approval And Authorization To Expend

City Funds – Troy Youth Assistance

RECOMMENDATION

Another element of the Troy Youth Assistance funding is a grant that passes through the Police Department. We would like approval to reimburse the Troy Youth Assistance for expenses, i.e. salaries, office supplies, and program supplies at an estimated cost of \$41,088.00 in this fiscal year. Ninety percent of the funds (approx. \$36,980.00) will be reimbursed through the Juvenile Accountability Incentive Block Grant and ten percent of the funds (approx. \$4,108.00) will be paid by the City of Troy.

It should be noted that the monthly expenses change from month to month depending upon actual costs.

BACKGROUND

The Troy Youth Assistance provides family and youth assistance for the residents of the City of Troy.

The funding agreement was previously approved with resolutions #96-610, #98-313-C-4a, #2000-422-E-7, and #2001-07-373-E-2.

BUDGET

The funds are available in account #314.7802.155, which has been designated for the funding of this program and other Police Department operational accounts, if necessary.

August 15, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Jeanette Bennett, Purchasing Director

Charles T. Craft, Chief of Police

Subject: Standard Purchasing Resolution 5: Approval To Expend Budgeted Funds –

Troy Community Coalition

APPROVAL TO EXPEND FUNDS

The Police Department requests approval to continue to provide funding to the **TROY COMMUNITY COALITION** in the amount of \$100,000.00 for the 2001/2002 fiscal year.

BACKGROUND

The Troy Community Coalition will provide community services to prevent drug and alcohol abuse.

A funding agreement was previously approved by the City Council on August 21, 2000, with resolution #2000-387-E-4.

BUDGET

The Police Department's Police Administration Contractual Services – Troy Community Coalition, account #305.7802.109 has been designated for the funding of this program.

COALITION MEMBERS

52-4 District Court AAA Michigan American Association of Retired Persons American Association of University Women Arab-American & Chaldean Council Athens High School Project LEAD & S.A.D.D. Baha'i of Troy Rank One Bishop Foley High School Bostick Real Estate Boys & Girls Club of Trov CATS Company Church of Jesus Christ of Latter Day Saints City of Troy Comerica Bank Council of Troy Homeowners Association County Commissioner, District 16 Delphi Automotive Detroit Edison Doeren Mayhew Drug Enforcement Administration E. Long Lake Homeowners Association Eastwood Clinics **Ebony Homeowners** FamilyWorks of Troy Federal Bureau of Investigation First Presbyterian Church First United Methodist Church General Motors Corporation Henry Ford Health Systems Kiwanis Club of Troy M.A.D.D. Oakland County McCann-Erickson Meritor Michigan Department of Public Health Michigan National Bank Midwest Guaranty Bank Modernistic Carpet National City Bank Neighbor by Neighbor Partnerships North Hills Christian Reformed Church Oakland County Health Department Oakland County Medical Society Oakland University Observer Eccentric Newspapers Office of Sheriff Michael Bouchard Office of U.S. Representative Sander Levin
Office of U.S. Senator Carl Levin Office of U.S. Senator Spencer Abraham Performance Resource Press PTO/PTA Organizations S.O.C. Credit Union St. Anastasia Church St. Elizabeth Ann Seton Church St. George's Greek Orthodox Church St. Joseph Catholic Chaldean Church St. Nicholas Greek Orthodox Church St. Stephen's Episcopal Church St. Thomas More Church Standard Federal Bank State of Michigan State Representative John Pappageorge State Representative Robert Gosselin Sylvan Glen Homeowners Troy Advisory Comm. for Persons with Disabilities



For the Prevention of Drug and Alcohol Abuse

August 8, 2001

Captain Gary Mayer Troy Police Department 500 W. Big Beaver Rd. Troy, Michigan 48084

Dear Captain Mayer:

The 2001-2002 Troy Police Department budget provides \$100,000 for Troy Community Coalition prevention programs.

The purpose of this letter is to request payment of that amount. The Coalition has an agreement with the City to provide prevention services and will stand by the terms of the original agreement in facilitating this year's program.

The Coalition greatly appreciates the support of the Troy Police Department as we work to prevent drug abuse.

Sincerely,

Mary Ann Solberg
Executive Director

Executive Director 4420 Livernois Rd. Troy, MI 48098

Troy Board of Education
Troy Chamber of Commerce
Troy City Council
Troy Community Chorus
Troy Education Association
Troy Families for Safe Homes
Troy First United Methodist Church
Troy High School Project LEAD & S.A.D.D.

Troy Jaycees
Troy Medi-Go
Troy Newcomers Club
Troy Optimist Club
Troy Parks & Recreation
Troy Police Department
Troy School District
Troy Somerset Gazette
Troy Special Education PTA
Troy Womens Association
Troy Youth Assistance
William Beaumont Hospital, Troy
Mary Ann Solberg

(248) 823-5088 FAX (248) 823-5051 TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

> Gary A. Shripka, Assistant City Manager/Services Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Acceptance of Permanent Easements for Storm Drain/Sewer

> Rochester Rear Yard Drain - South of Marengo Sidwell #88-20-03-401-022, -023, -024, and -028

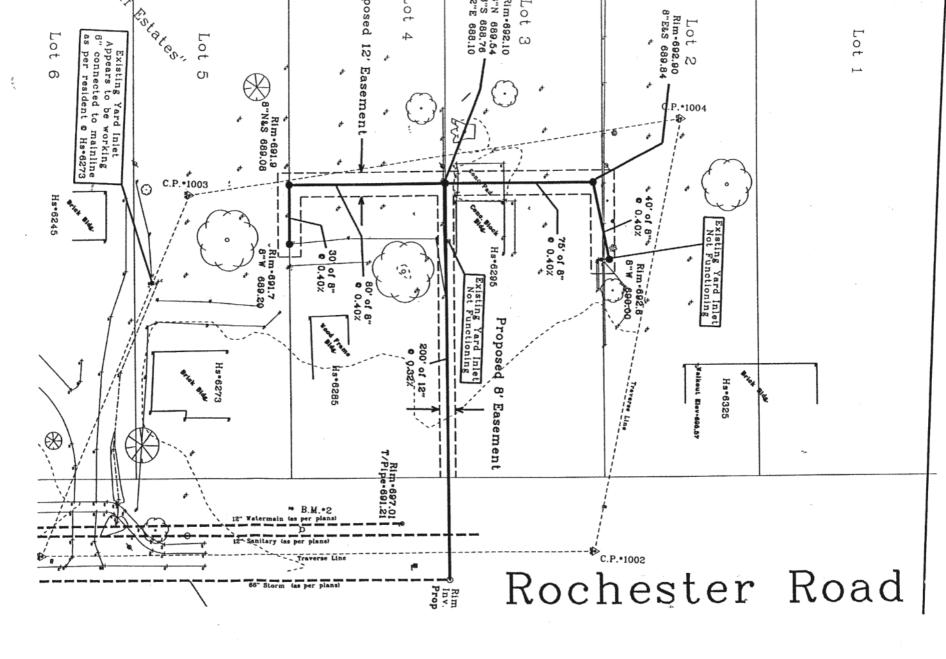
In connection with the installation of a rear and side yard drainage project on Rochester Road, south of Marengo, the Real Estate & Development Department has acquired the documents listed below. The consideration on each document is \$1.

SIDWELL # 3-401-022 Jane M	OWNERS Raymond K. Bisson & M. Bisson 6295 Rocheste	ADDRESS er Road
3-401-023	Thomas E. Thompson	6285 Rochester Road
3-401-024	Ralph Darge & Shirley I. Darge	6273 Rochester Road
3-401-028	Dolores J. Merana	6325 Rochester Road

In order for the Streets and Drains Department to proceed with this project, we recommend that City Council accept the attached easements.

cc: William Need, Public Works Director Parcel File

Att.





TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

John M. Lamerato, Assistant City Manager/Finance & Admin.

Cindy Stewart, Community Affairs Director

SUBJECT: Proposed 2002 City Council Meetings

DATE: August 27, 2001

The Community Affairs Department is working on the 2002 City Calendar. We need your assistance regarding dates for the 2002 City Council meetings. The following dates take into account all holidays and election days and are submitted for your approval:

Monday, January 7 & 14

Monday, February 4 & 18

Monday, March 4 & 18

Monday, April 8 & 22

Monday, May 6 & 13

Monday, June 3 & 17

Monday, July 8 & 22

Monday, August 5 & 19

Monday, September 9 & 23

Monday, October 7 & 21

Monday, November 4 & 18

Monday, December 2 & 16

These are dates for Liquor Violation Hearings

Monday, February 25 7:30 pm Wednesday, February 27 7:30 pm

RESOLVED, That the City Council shall hold Regular meetings on the first and third Mondays of each month at 7:30 p.m., and in observance of a holiday, or City general election day, then the Council shall meet on the second and fourth Mondays; and

BE IT FURTHER RESOLVED, That Study meetings may be scheduled as needed.

DATE: August 29, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services Mark Stimac, Director of Building and Zoning

SUBJECT: Request for Temporary Sales/Office Trailer,

Harrington Park Condominiums

I have received a request from Richard Spehar of Cherry Creek Builders for the placement of a temporary office trailer on the site of the Harrington Park Condominium development located on the north side of Long Lake Road west of Livernois. The trailer is intended to be used for a sales office until their model is completed. Their request anticipates the need for the trailer for nine months.

Section 6.41 (3) of Chapter 47 of the Troy City Code allows the City Council to approve the placement of mobile offices, for use as a sales office, in residential developments for an initial period not to exceed 12 months. Based upon this provision, the petitioner is requesting this item be placed on Council's agenda for consideration.

I have attached a copy of his letter and information showing the proposed location of the trailer for your information.



960 Dowling • Bloomfield Hills MI 48304.2523 phone 248.594.0729 • fax 248.644.1769

August 20, 2001

Troy Building Department 500 W Big Beaver Troy MI 48084

ATTN: Mark Stimac

Re: Permit for temporary Sales trailer for Harrington Park

Mr Stimac,

Thank you for your recent correspondence regarding our permit for a temporary Sales trailer for the Harrington Park condominium development.

In response to your inquiry, below find the information you requested.

Length of time:

We are targeting a drop date for the trailer of September 15, 2001 and to be in place for nine months.

Purpose of trailer:

The trailer will be used as a temporary Sales Center for the Harrington Park development. Upon construction of our model for the development, we will then move our Sales Center there and have the trailer removed.

Trailer details:

The trailer measures 12' x 44'. We will provide barrier free access and parking.

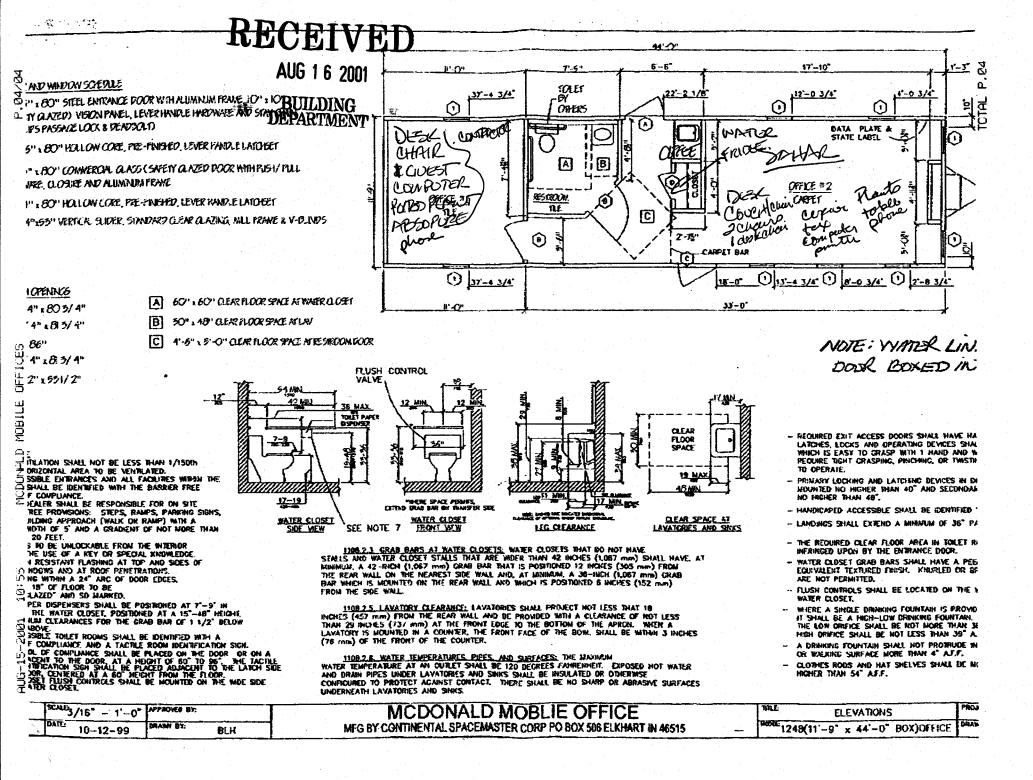
If you require further information, please feel free to contact our office at 248.594.0729 and our fax number is 248.644.1769.

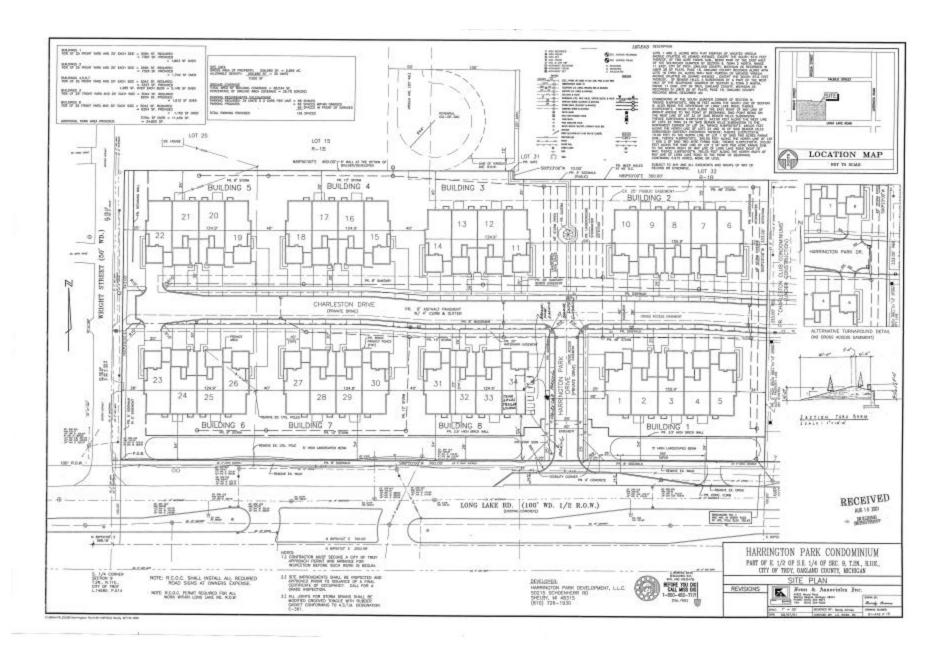
Sincerely,

Richard Spehar

Cherry Creek Builders LLC

RS/rp





August 30, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

Jeanette Bennett, Purchasing Director

Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidder –

Riding Mower

RECOMMENDATION

The Parks and Recreation Department recommends that City Council award a contract to furnish one (1) rotary riding mower to the low bidder, **W. F. Miller Co.**, **25125 Trans-x**, **Novi**, **MI 48376**, **248-349-4100**, at an estimated total cost of \$59,178.00. Bids were opened on August 1, 2001 with three companies returning a complete bid.

<u>BUDGET</u>

Funds are available for this purchase in the Parks and Recreation Department Capital Account #401756.7978.010.

19 Bids Sent 10 Bids Rec'd 6 No Bids 1 Late Bid

Prepared by: Jeff Biegler, Superintendent of Parks

Opening Date -- 8/1/01 Date Prepared -- 8/31/01 CITY OF TROY
BID TABULATION
ONE (1) ROTARY RIDING MOWER

Date Prepared 6/31/01	ONE (I) ROTART	KIDING WOWEK		
VENDOR NAME: **	WF MILLER CO	SPARTAN	CHICAGO TURF	
		DISTRIBUTORS	& IRRIGATION	
PROPOSAL FURNISH ONE (1) TWO WHEEL IN ACCORDANCE WITH THE SPECIFIC	•	RIDING MOWER V	VITH A 16-FOOT C	CUT WIDTH
COMPLETE FOR THE SUM OF:	\$ 59,178	\$ 61,922.02	\$ 73,800	
QUOTING ON MODEL:	HR-9016	580-D	580-D	
MANUFACTURED BY:	JACOBSEN	TORO	TORO	
TECHNICAL DATA. Yes or No	VEC	VES	VEC	

TECHNICAL DATA:	Yes or No	YES	YES	YES	
	Marked	DATA	TORO	580-D	
TERMS:		NET 30 DAYS	NET 30 DAYS	NET 30 DAYS	
TEIXIVIO.		NET 30 DATS	INCT 30 DATS	INCT 30 DATS	
DELIVERY DATE:		30 DAYS ARO	14 DAYS ARO	90 DAYS ARO	
WARRANTY:		2 VPS OP 1500 HPS	2 YRS OR 1500 HRS	2 VRS	
WARRICAINTT.		2 110 OK 1300 1110	2 11/3 01/ 1300 11//3	2 110	
EXCEPTIONS:		LISTED IN BID	BLANK	BLANK	

NO BIDS: Thesiser Equipment Co Industrial Vehicle & Turf Sales Wm F Sell & Sons Inc Weingartz Supply Co Munn Tractor Sales Grandville Tractor & Equipment ** DENOTES LOW BIDDER ATTEST: Jeffrey Biegler Mark Colombo Flo Opatik Linda Bockstanz Jeanette Bennett Purchasing Director

ADVANCED IRRIGATION SYSTEMS INC 1183 COMBERMERE TROY MI 48083-2701 ARIENS COMPANY 655 W RYAN BRILLION WI 54110

BIG BEAR EQUIPMENT CO 10405 J STREET OMAHA NE 68127 CHICAGO TURF & IRRIGATION INC 1170 W ARDMORE ITASCA IL 60143-1306

GRANDVILLE TRACTOR & EQUIPMENT 3736 CHICAGO DRIVE SW GRANDVILLE MI 49418 ILLINOIS LAWN EQUIPMENT INC 16450 104TH AVENUE ORLAND PARK IL 60467-5498

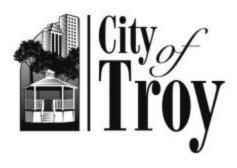
INDUSTRIAL VEHICLE & TURF SALES INC 45896 WOODWARD AVENUE PONTIAC MI 48341 MILLER W F TURF& INDUSTRIAL EQUIPMENT CO 25125 TRANS-X P O BOX 605 NOVI MI 48376-0605

MUNN TRACTOR SALES INC 3700 LAPEER ROAD AUBURN HILLS MI 48326 NORTH STAR TURF EQUIPMENT 3080 CENTERVILLE ST PAUL MN 55117

PIRTEK METRO DETROIT 25363 DEQUINDRE ROAD MADISON HEIGHTS MI 48071 QUALITY LAWN EQUIPMENT INC 5395 DIXIE HWY WATERFORD MI 48329

REMSON EQUIPMENT COMPANY 22250 HALL ROAD CLINTON TWP MI 48036 SOUTHLANE LANDSCAPE EQUIPMENT P.O. BOX 1036 ROYAL OAK MI 48068 SPARTAN DISTRIBUTORS, INC 487 W DIVISION ST PO BOX 246 SPARTA MI 49345 THESIER EQUIPMENT COMPANY 28342 PONTIAC TRAIL SOUTH LYON MI 48178

WEINGARTZ SUPPLY CO INC-FARMINGTON HILLS 39050 GRAND RIVER FARMINGTON HILLS MI 48335 WM F SELL & SON INC 16555 TELEGRAPH ROAD TAYLOR MI 48180



September 4, 2001

TO: MAYOR AND MEMBERS OF CITY COUNCIL

FROM: LORI GRIGG BLUHM, ACTING CITY ATTORNEY

RE: ATTORNEY GENERAL (ex. rel Aleta Curry) v. TROY POLICE DEPT.

Enclosed please find a second complaint, filed by the Michigan Attorney General, on behalf of Aleta Curry. As you may recall, Ms. Aleta Curry filed a complaint with the Michigan Department of Civil Rights (MDCR) on May 11, 2000. In her complaint, Ms. Curry alleges that the stop of her vehicle was based only upon her race (African American). The MDCR, which is charged with the investigation of such allegations, has sent at least three separate written requests to the Troy Police Department, in an effort to receive evidence to substantiate this claim. The City of Troy Police Department immediately submitted the evidence from the Michigan State Police, which verified that Ms. Curry was driving with an expired license plate. These records also verified that the officer checked the status of the license plate prior to pulling over Ms. Curry. It should also be noted that Ms. Curry pled responsible to a reduced charge of an improperly displayed license plate. The computer generated dispatch records, Mobile Data Terminal/LEIN/SOS records, the admission of responsibility, and an affidavit from the officer were provided to the MDCR. It was also noted that the stopping officer had not received any complaints.

The powers of the MDCR are limited under state law. Therefore, when an individual fails to provide requested information to the MDCR, the MDCR's only avenue to obtain the requested information is to ask the Attorney General to file a lawsuit in circuit court, requesting an order to compel discovery. Since Troy had not provided the Internal Affairs investigation file and the Personnel Files of the officer who made the stop and also his back up officer, the Attorney General initiated a lawsuit against the Troy Police Department. This case was assigned to Oakland County Circuit Court Judge Andrews, who opined that the City had provided all relevant information for this investigation.

The MDCR then sent the City a subsequent request for information. Most of this information has already been ruled as not relevant by Judge Andrews. Some of the requested information has not been provided, since the MDCR could obtain

verification of the LEIN/ MDT records by going directly to the Michigan State Police, rather than asking the Troy Police Department for passwords. Prior to this lawsuit being filed, our office unsuccessfully asked the MDCR to limit their request for discovery.

The Attorney General has now filed a second lawsuit, asking for an order to compel the Troy Police Department to produce the information demanded by the third set of interrogatories.

The City Attorney's Office will handle defense of this matter absent objections from City Council. A show cause hearing has been set for September 12, 2001 at 8:30 am.

STATE OF MICHIGAN JUDICIAL DISTRICT 6TH JUDICIAL CIRCUIT

SUMMONS AND COMPLAINT



Court addressCourthouse Tower, 1200 N. Telegraph Rd., Dept 404, Pontiac, Mi 4834 Court telephone no. (248) 858-0582

Plaintiff name(s), address(es), and telephone no.(s)
MICHIGAN DEPARTMENT OF CIVIL RIGHTS, EX
REL. ALETA CURRY
MICHIGAN PLAZA BUILDING, 1200 SIXTH AVENUE,
DETROIT, MI 48226 (313) 256-2658

Plaintiff attorney, bar no., address, and telephone no.
ANGELITA ESPINO, (P41933) ASSISTANT
ATTORNEY GENERAL, 1500 MICHIGAN PLAZA
BUILDING, 1200 SIXTH STREET, DETROIT, MI
48226 (313) 256-2557

Defendant name(s), address(es), and telephone no.(s)
TROY POLICE DEPARTMENT
500 W. Big Beaver Road
Troy, MI 48084

Lori Grigg Bluhm (P46908) Assistant City Attorney City of Troy Attorney's Office 500 W. Big Beaver Road Troy, MI 48084 (248) 524-3323

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan, you are notified:

- You are being sued.
- 2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or you were served outside this state).
- 3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.

JUL 23 2001 0 CTris 222	2011 ekpires*	G. WILLIAM CADDELL		
This summons is invalid unless served on or before its	expiration date.			
There is no other pending or resolved civil action arising	out of the same transaction or occu	rrence as alleged in the complaint.		
A civil action between these parties, arising out	of the same set of facts allege	ed in the complaint was previously filed		
in Oakland Circuit Court	. The docket number and	•		
Name of court				
Docket no.	Judge	Bar no.		
01-028543-CZ	Steven N. Andrews	P10202		
The action remains x is no longer	pending.	'		
	VENUE			
Plaintiff(s) residence (include city, township, or village) 1500 MICHIGAN PLAZA BUILDING, 1200 SIXTH STREET, DETROIT, MI 48226 Defendant(s) residence (include city, township, or village) 500 W. Big Veaver Road, Troy, MI 48084				
Place where action arose or business conducted City of Troy				

COMPLAINT IS STATED ON ATTACHED PAGES. EXHIBITS ARE ATTACHED IF REQUIRED BY COURT RULE.

Signature of attorney/plaintiff

STATE OF MICHIGAN IN THE 6TH JUDICIAL CIRCUIT FOR THE COUNTY OF OAKLAND



1 7

MICHIGAN DEPARTMENT OF CIVIL RIGHTS, ex rel. ALETA B. CURRY,

Plaintiff,

Civil Action No.

TROY POLICE DEPARTMENT,

HON: MDCR NO. 163756-LE66

Defendant.

JENNIFER M. GRANHOLM Attorney General

Angelita Espino (P41933) Assistant Attorney General Attorney for Plaintiff 1500 Michigan Plaza Building 1200 Sixth Street Detroit, Michigan 48226 (313)256-2557 OF THE 23 P2:21

CITY OF TROY-CITY ATTORNEY'S OFFICE

By: Lori Grigg Bluhm (P46908)

Attorney for Defendant

500 W. Big Beaver Road.

Troy, MI 48084 (248) 524-3320

PETITION FOR ENFORCEMENT OF MICHIGAN DEPARTMENT OF CIVIL RIGHTS' ORDER

NOW COMES Petition Michigan Department of Civil Rights, *ex rel*. Aleta Curry, by its attorney, JENNIFER M. GRANHOLM, Attorney General of Michigan, and Angelita Espino, Assistant Attorney General, and states as follows:

- 1. The Michigan Department of Civil Rights (MDCR) operates under the constitution and laws of the State of Michigan. Const 1963, art I, § 2; Const 1963, art 5, § 29.
- 2. The MDCR is the agency responsible for the implementation and enforcement of the Elliott-Larsen Civil Rights Act (ELCRA), MCL 37.2101, et seq; and the Persons with Disabilities Civil Rights Act (PWDCRA), MCL 37.1101, et seq. The MDCR's practice and procedure is also governed by the Michigan Administrative Code, 1979 AC R 37.1 to R 37.27.
- 3. Respondent is a department of the City of Troy doing business in Oakland County.
- 4. On May 11, 2000, Claimant Aleta Curry filed a Complaint with the MDCR, No. 163756-LE66. Claimant alleges Respondent Troy Police Department. (hereinafter Respondent), violated the ELCRA by discrimination on the basis of race. *See* Exhibit 1.
- 5. The MDCR, in compliance with its statutory responsibilities, advised Respondent of the Allegations in the civil rights complaint, and began its investigatory process. MCL 37.2602(c).
- 6. The MDCR requested Respondent answer its 3rd Set of Interrogatories and Requests for Production of Documents. The request was accompanied by an Order, dated April 11, 2001, compelling Respondent to answer the interrogatories and produce documents. *See* Exhibit 2.
- 7. Respondent has failed to answer the interrogatories and produce documents, has failed to place any objections on the record, and has not complied with the April 11, 2001 MDCR Order
- 8. The MDCR files the instant Petition seeking to enforce its Order of April 11, 2001 pursuant to MCL 37.2603, and 1979 AC 37.4(10) which states in pertinent part:

The department may require answers to interrogatories, order the submission of books, papers, records, and other materials pertinent to a complaint, and require the attendance of witnesses, administer oaths, take testimony, and compel, through court authorization, compliance with its orders or an order of the commission.

(emphasis added).

9. The MDCR also seeks the entry of an Order to Show Cause against Respondent.

RELIEF

WHEREFORE, the Michigan Department of Civil Rights requests this Honorable Court enter an Order compelling Respondent to answer the MDCR's interrogatories and for the production of documents. Further, Petitioner requests costs and attorney fees pursuant to MCR 2.625(A)(2) and MCL 600.2591; for having to file this petition.

Respectfully submitted,

JENNIFER M. GRANHOLM

Attorney General

By: Angelita Espino (P4(933)

Assistant Attorney General

Attorneys for Plaintiff

1500 Michigan Plaza Building

1200 Sixth Street

Detroit, MI 48226

(313) 256-2557

espinoa@ag.state.mi.us

Dated: July 20, 2001

August 15, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

Jeanette Bennett, Purchasing Director William Need, Public Works Director

Re: Standard Purchasing Resolution 3: Exercise Renewal Option-

Traffic Control Signs

RECOMMENDATION

On October 2, 2000, the City Council approved one-year contracts to provide Traffic Control Signs with an option to renew for one additional year (Council Resolution #2000-441). The Public Works Department recommends the City exercise the option to renew for one additional year with Vulcan Signs, Signs and Blanks Inc. and Rocal Inc. at the following contract prices:

VULCAN SIGNS

PROPOSAL A: Complete Signs, Single Face

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
		3M High Intensity on Aluminum		
1.	100	30" Stop	\$27.21	\$2721.00
2.	100	36" Yield	\$17.73	\$1773.00
3.	100	30"X30" S2-1 School Crossing	\$26.75	\$2675.00
4.	100	30"X30" S1-1 School Advance	\$26.75	\$2675.00
PROPOSAL C: Standard, Warning Diamond, Rectangular or colors				
5.	15	24" x 48" Three Color	\$24.12	\$361.80
7.	25	36" x 36" Two Color	\$26.51	\$662.75
8.	10	36" x 36" Three Color	\$27.15	\$271.50
9.	10	36" x 48" Two Color	\$35.18	\$351.80
		Pouble Faced, Two Sided on High Inte		
2.	40	9" X 30" Extruded High Int Wht	\$14.89	\$595.60
3.	40	9" X 36" Extruded High Int.Wht	\$17.87	\$714.80
4.	40	9" X 42" Extruded High Int.Wht	\$20.85	\$834.00
5.	40	6" X 30" Extruded High Int Wht	\$10.27	\$410.80
6.	40	6" X 36" Extruded High Int Wht	\$12.32	\$492.80
7.	40	6" X 42"Extruded High Int Wht	\$14.38	\$575.20
	E	STIMATED GRAND TOTAL		\$15,115.05

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign. \$25.00

Page 2 of 3

To: Honorable Mayor and City Council

Re: Exercise Renewal Option – Traffic Control Signs

SIGNS AND BLANKS INC.

PROPOSAL B: Standard, Warning Diamond, Rectangular or Square - One Color

ITEM	ESTIMATED	DESCRIPTION	UNIT	TOTAL PRICE
	QTY		PRICE	
1.	12	12" x 6" One Color	\$ 1.50	\$18.00
2.	25	12" x 18" One Color	\$4.05	\$101.25
3.	25	12" x 36" One Color	\$8.10	\$202.50
4.	10	12" x 48" One Color	\$10.80	\$108.00
5.	10	12" x 60" One Color	\$13.50	\$135.00
6.	5	12" x 72" One Color	\$16.20	\$81.00
8.	25	18" x 18" One Color	\$6.08	\$152.00
9.	25	18" x 24" One Color	\$8.10	\$202.50
10.	10	18" x 48" One Color	\$16.20	\$162.00
11.	2	18" x 60" One Color	\$20.25	\$40.50
12.	2	18" x 72" One Color	\$24.30	\$48.60
13.	15	24" x 24" One Color	\$10.80	\$162.00
14.	150	24" x 30" One Color	\$13.50	\$2025.00
15.	10	24" x 36" One Color	\$16.20	\$162.00
16.	15	24" x 48" One Color	\$21.60	\$324.00
17.	75	30" x 30" One Color	\$16.88	\$1266.00
18.	10	30" x 36" One Color	\$20.25	\$202.50
19.	50	36" x 36" One Color	\$24.30	\$1215.00
20.	10	36" x 48" One Color	\$32.40	\$324.00
21.	10	48" x 30" One Color	\$27.00	\$270.00
22.	10	48" x 48" One Color	\$43.20	\$432.00
	NSAL C: Standa	ard, Warning Diamond, Rectangular or	Square -	Two or more colors
1.	100	12" X 12" Two Color	\$2.97	\$297.00
3.	50	12" x 18" Two Color	\$4.46	\$223.00
4.	15	24" x 24" Two Color	\$11.88	\$178.20
4 . 6.	25	30" x 30" Two Color	\$18.56	\$464.00
0.	25	30 X 30 1 W0 C0101	ψ10.50	ψ404.00
PROPO	DSALE: D	ouble Faced, Two Sided on High Inter	nsity White	
ITEM	ESTIMATED	DESCRIPTION	ÚNIT	TOTAL PRICE
	QTY		PRICE	
1.	100	24" X 30" 3M Scotchlite on Aluminum	\$19.75	\$1975.00
	E	STIMATED GRAND TOTAL		\$10,771.05

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign.

Page 3 of 3

To: Honorable Mayor and City Council

Re: Exercise Renewal Option – Traffic Control Signs

ROCAL INC.

PROPOSAL B: Standard, Warning Diamond, Rectangular or Square - One Color

ITEM	ESTIMATED	DESCRIPTION	UNIT	TOTAL PRICE
	QTY		PRICE	
7.	25	18" x 6" One Color	\$2.20	\$55.00
23.	40	12"X30 Hi Int W/Round Corners	\$11.73	\$469.20
24	40	12"X36 Hi Int W/Round Corners	\$14.08	\$563.20
25.	40	12"X42 Hi Int W/Round Corners	\$16.42	\$656.80
26.	40	12"X48 Hi Int W/Round Corners	\$18.77	\$750.80

PROPOSAL C: Standard, Warning Diamond, Rectangular or Square - Two or more colors

2. 12 12" x 12" Three Color \$3.20 \$38.40

PROPOSAL D: 3M Standard Pre-Printed Traffic Sign Faces

ITEM	ESTIMATED QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
1.	500	12" X 12" No Parking Symbol R8-3A	\$1.15	\$575.00
	E	STIMATED GRAND TOTAL		\$3,108.40

PROPOSAL F: Set up fees for any listed size to fabricate a non-standard sign. \$35.00.

BUDGET

Funds are available in the Streets Department Operating Budget.

Prepared by: Vicki Richardson, Administrative Aide



Troy, Michigan 48084

Fax: (248) 524-0851 www.ci.tray.mi.us

July 24, 2001

Area code (248)

Assessing 524-3311

Signs and Blanks Inc PO Box 2234

Bldg. Inspections

Akron OH 44309-2234

524-3344

Fax: 1-330-630-0779

Bldg. Maintenance

524-3368

City Clerk

524-3316

City Manager 524-3330

Community Affairs 524-1147

Engineering 524-3383

Finance

524-3411

Fire-Administration

524-3419

Human Resources

524-3339

Information Services 619-7279

Law 524-3320

Library

574-3545

Parks & Recreation 524-34B4

Planning 524-3364

Police-Administration 524-3443

Public Works 524-3370

Purchasing 524-333B

Real Fistore & Development 524-3498

Treasurer 524-3334

General Information 524-3300

On November 1, 2000 the City of Troy entered into contract #20000359OB with Signs and Blanks Inc. to provide one-year requirements of traffic control signs. This contract contained an option to renew for one additional year at the same

prices, terms and conditions as the original contract.

Please fax this form to me at 1-248-524-3520 to let us know if Signs and Blanks Inc. wishes to extend the contract through November 1,2002 or does not wish to extend.

If you have any questions please call Vicki Richardson at 248-524-3501.

Thank you,

Vicki Richardson

Department of Public Works

Signs and Blanks Inc. DOES wish to extend the contract #20000359OB

Signs and Blanks Inc. does not wish to extend the contract

#20000359OB

Juliano A Coda Company Representative



500 West Big 500ver Troy, Michigan 48084 Fact (248) 524-085 I

July 24, 2001

Area code (248)

www.cl.tray.mi.us

Assessing 524-3311

Bidg, inspections 524-3344

Blde Maintonance

524-3368

City Clerk 524-3316

City Managor 524-3330

Community Affairs 524-1 i 47

Engineering 524-3383

Finance

524-3411 Fire-Administration

524-3419

Duman Resources 524-3339

Information Services

619-7279 Law

524-3320 Library

524-3545 Parks & Recreation

524-3484 Planning 524-3364

Police-Administration 524-3443

Public Works 524-3370

Purchasing 324-3338

Real Estate & Development 524-3498

Treasurer \$24.3334

General information 524-3300

Vulcan Signs PO Box 1850

Foley AL 36536-1850

FAX: 1-334-943-1544

On November 1, 2000 the City of Troy entered into contract #200003580B with Vulcan Signs to provide one-year requirements of traffic control signs. This contract contained an option to renew for one additional year at the same prices,

terms and conditions as the original contract.

Company Representative Vice President

Please fax me at 1-248-524-3520 to let us know if Vulcan Signs wishes to extend

the contract through November 1, 2002 or does not wish to extend.

If you have any questions please call Vicki Richardson at 248-524-3501.

Thank you,

Vicki Richardson

Department of Public Works

XX ___Vulcan Signs DOES wish to extend the contract #20000358OB

James E. Stewart, Jr.

Vulcan Signs does not wish to extend the contract #20000358OB



500 West Big Beaver

Troy, Michigan 48084

Fax: (248) 524-0851

www.ci.troy.mi.us

July 24, 2001

Area code (248)

Assessing

524-3311

illdg inspections

524-3344

Bldg. Maintenance

524-3368

ATT: Mary Beth Lightle

City Clerk

524-3316

City Manager 524-3330

Community Affairs

524-1147

Engineering

524-3383

Finance 524-3411

Fire-Administration

524-3419

Human Resources

524-3339

Information Services

619-7279

Law

524-3320

Library \$24-3545

Purks & Recreation 524-3484

Planning

524-3364

Police-Administration 524-3443

Public Works 524-3370

Purchasing 524-3338

Real Estate & Development

524-3498

Treasurer 524-3334

General information

524-3300

Rocal Inc.

24 South Main Street

PO Box 640

Frankfort OH 45628

FAX: 1-740-998-2073

On November 1, 2000 the City of Troy entered into contract #20000360OB with Rocal Inc. to provide one-year requirements of traffic control signs. This contract contained an option to renew for one additional year at the same prices, terms and

MACUTE THE . .

conditions as the original contract.

Please fax me at 1-248-524-3520 to let us know if Rocal Inc. wishes to extend the

contract through November 1, 2002 or does not wish to extend.

If you have any questions please call Vicki Richardson at 248-524-3501.

Thank you,

Vicki Richardson

Department of Public Works

Rocal Inc. DOES wish to extend the contract #200003600B

Rocal Inc. does not wish to extend the contract #20000360OB

August 21, 2001

TO:

Jeanette Bennett

Purchasing Director

FROM:

Linda N. Bockstanz

Associate Buyer

RE:

MARKET SURVEY - Traffic Control Signs

WHITCO SIGN & MFG CORP. - RonaldWhitaker

(800) 927-3977

Ronald has indicated that he has been in the business for 40 years; he has never seen prices for aluminum move up in cost. It has been about the same since 1979 to present. The Federal Government dictates the color of the signs, so the only change has been with the School Crossing Signs in color. He believes that this aluminum in the making of the product is very stable.

HUNT SIGN CO. INC. - Cathie Leavy

(248) 546-1021

Cathie commented that prices might go up slightly, but not enough to notice. The prices have stayed the same for the last (5) five years with their Company. The only thing that she has heard that might change on these signs will be more colors and more custom designs. Right now, aluminum seems to be the best product for the signs.

HALL SIGNS INC. – Kellev

(800) 284 -7446

According to Kelley, aluminum is not expected to increase, but sign changes of colors and content might play apart in the price. If any increase it would be at least a 4% one. The only big change recently is the color of the School Crossing signs that went to the State Legislature. She does not expect to see a big change soon.

UNIVERSAL DIE-CUT CORP. – Rich Jubak

(419) 663-0998

Rich believes that aluminum will be staying the same price in the next several years. He has not seen an increase for a long time. The only change has been in the color of the School Crossing signs; they went to a neon green color.

Based upon the above comments, I respectfully recommend that the City accept the offer to extend and renew the contract for Traffic signs to the current vendors base on the fact cost of the signs will not increase nor decrease in price for the next several years.

CC: Susan Leirstien

Bid Award - Traffic Control Signs

Resolution #2000-441 Moved by Pallotta Seconded by Allemon

RESOLVED, That a one-year contract commencing November 1, 2000, with an option to renew for one additional year, to provide traffic control signs on an as-needed basis is hereby awarded to the low bidders meeting specifications as follows:

COMPANY	PROPOSAL / ITEMS	ESTIMATED COSTS
Vulcan Inc.	A: # 1, 2, 3, 4 C: # 5, 7, 8, 9 E: # 2, 3, 4, 5, 6, 7 F: Set up fees for fabrication Non-standard sizes	\$ 15,115.05
Signs and Blanks, Inc.	B: # 1, 2, 3, 4, 5, 6, 8, 9, 10 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 C: # 1, 3, 4, 6 E: # 1 F: Set up fees for fabrication Non-standard sizes	\$ 10,771.05
Rocal Inc.	B: # 7, 23, 24, 25, 26 C: # 2 D: # 1 F: Set up fees for fabrication Non-standard sizes	\$ 3,108.40

at unit prices contained in the bid tabulation opened September 6, 2000, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

E-4

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager- Services

Jeanette Bennett, Director of Purchasing

Carol Anderson, Parks and Recreation Director

RE: Standard Purchasing Resolution 4: Oakland County Cooperative

Purchasing Agreement – Haworth Furniture Contract

RECOMMENDATION

The Nature Center requests approval to purchase Haworth furniture through the Oakland County contract with University Business Interiors to complete the furniture installation at the new Lloyd A. Stage Nature Center at an estimated total cost of \$38,530.68.

DETAILS

The Nature Center staff will be occupying its new building sometime this fall. It should be noted that all of the current furniture at the Nature Center has been recycled from other City departments over the years. The furniture plans for the new building include 5 workstations, 2 office rooms, a reception/information desk, conference room, and furniture for the wildlife viewing and kitchen areas.

The purchase plan includes the following:

- Office workstations will be configured to accommodate computers and work files.
- Ergonomically designed workstations that will provide better workspace as well as additional shelving and storage to accommodate teaching and reference materials.
 There will also be space for field clothing and equipment.
- Furniture for new conference/meeting room.
- New file cabinets that will greatly increase storage capacity.
- Furniture for the Wildlife viewing area
- Table and chairs for the kitchen.

Appendix A summarizes the associated cost estimates.

SUMMARY

Funds for this expenditure are available from Account number #401770.7974.080.

Prepared by: Charles Barnes, Nature Center Manager

A comparison of the budgeted amount to the low bid follows:

Daley Street

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
93.932.3	Paving & Drainage	\$79,285.50	\$21,530.00	\$59,758.00	\$81,288.00

Forthton

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
99.117.1	Paving & Drainage	\$111,770.80	\$101,700.00	\$25,300.00	\$127,000.00
01.510.5	Water Main	\$124,473.90	\$178,000.00		\$178,000.00

Finch Road

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
00.102.1	Paving & Drainage	\$188,791.50	\$151,530.00	\$58,070.00	\$209,600.00

Harris Street

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
00.110.1	Paving & Drainage	\$46,658.30	\$76,446.50	\$53,080.00	\$129,546.50*
			•		
Alternate A	Off-Site Drainage	\$56,530.20	\$78,853.50		
	<u> </u>				

^{*} The amount budgeted for Harris included paving and drainage improvements typically associated with an SAD paving project. The majority of the drainage improvements were constructed with the water main replacement project recently completed on Harris.

September 4, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

Jeanette Bennett, Director of Purchasing

Steve Vandette, City Engineer

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder SAD Paving

Projects – Daley, Forthton, Finch and Harris, Contract No. 01-11

RECOMMENDATION

The Engineering Department recommends that City Council award a contract for SAD Paving Projects – Daley, Forthton, Finch and Harris to Thompson-McCully Company, 4751 White Lake Road, Clarkston, MI 48346 for their low bid of \$607,510.20 contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

In addition, we are requesting authorization to add work due to unforeseen circumstances, not to exceed 10% of the original project cost.

PROJECT INFORMATION

Bids were received and publicly read on August 30, 2001. The low bidder was Thompson-McCully Company. as can be seen in the attached tabulation of bids. Thompson-McCully has completed several similar type projects in the past few years for the City with satisfactory results. The SAD Paving Projects include paving and drainage improvements on Daley and Finch, paving on Harris, and paving, drainage improvements and water main on Forthton. All proposed pavement, driveways, curb and gutter, underground drainage, water main, sanitary sewer, permanent traffic signs and pavement markings as shown on the plans or as directed by the Engineer shall be completed by December 14, 2001. All contract work, including final restoration and cleanup, shall be comleted by June 29, 2002.

FUNDING

Funds are available in the 2001/02 budget as detailed in the following tables. The budgeted amount includes funds for construction, inspection and contingencies.

A comparison of the budgeted amount to the low bid follows:

Daley Street

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
93.932.3	Paving & Drainage	\$79,285.50	\$21,530.00	\$59,758.00	\$81,288.00

Forthton

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
99.117.1	Paving & Drainage	\$111,770.80	\$101,700.00	\$25,300.00	\$127,000.00
01.510.5	Water Main	\$124,473.90	\$178,000.00		\$178,000.00

Finch Road

Project	Project	As-Bid	Budgeted Amount		Total
Number	Description	Amount	2001-2002	SAD	Amount
00.102.1	Paving & Drainage	\$188,791.50	\$151,530.00	\$58,070.00	\$209,600.00

Harris Street

Project	Project	As-Bid	Budgeted	Amount	Total
Number	Description	Amount	2001-2002	SAD	Amount
00.110.1	Paving & Drainage	\$46,658.30	\$76,446.50	\$53,080.00	\$129,546.50*
			•		
Alternate A	Off-Site Drainage	\$56,530.20	\$78,853.50		
	<u> </u>				

^{*} The amount budgeted for Harris included paving and drainage improvements typically associated with an SAD paving project. The majority of the drainage improvements were constructed with the water main replacement project recently completed on Harris.

BID TABULATION

CITY OF TROY OAKLAND COUNTY, MICHIGAN

				Thompson-Mo 4751 White La Clarkston, MI 4	ke Road	Ajax Paving One Ajax Drive Madison Heigh		Angelo lafrate 26400 Sherwood Warren, MI 48091	
	Item	Quar	Quantity Unit F		Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
	Project No. 93.932.3 - Daley Street								
1	Mobilization	LS	LS	15,000.00	\$15,000.00	12,500.00	\$12,500.00	18,000.00	\$18,000.00
	Remove Culvert	5	Each	440.00	\$2,200.00	350.00	\$1,750.00	259.45	\$1,297.25
	Remove Wood Post	13	Each	66.00	\$858.00	50.00	\$650.00	64.46	\$837.98
	Remove Concrete or Asphalt Pavement	200	SY	7.70	\$1,540.00	20.00	\$4,000.00	4.30	\$860.00
	Remove Headwall	1	Each	330.00	\$330.00	500.00	\$500.00	407.98	\$407.98
6.	Reconstruct Structure	1.00	Each	495.00	\$495.00	550.00	\$550.00	1,336.56	\$1,336.56
7.	Adjust Structure	3.00	Each	330.00	\$990.00	450.00	\$1,350.00	247.48	\$742.44
	Earth Excavation	200.00	CY	5.50	\$1,100.00	15.00	\$3,000.00	11.54	\$2,308.00
9.	Roadway Grading	1,800	SY	4.00	\$7,200.00	3.50	\$6,300.00	7.28	\$13,104.00
10.	Subgrade Undercut, Incl. Crushed Conc Backfill,	25	CY	8.80	\$220.00	35.00	\$875.00	94.82	\$2,370.50
	If and Where Required								
11.	Embankment	50	CY	13.20	\$660.00	20.00	\$1,000.00	2.36	\$118.00
12.	Salvaged Aggregate for Shoulders	50.00	SY	8.80	\$440.00	4.00	\$200.00	14.08	\$704.00
13.	Agg. Base, 21AA, 6", for Roadway,	250	Tons	15.40	\$3,850.00	20.00	\$5,000.00	23.79	\$5,947.50
	Drives or Shoulders								
	Bit. Mix. No. 500, 20C, 3"	300	Tons	40.00	\$12,000.00	44.25	\$13,275.00	38.38	\$11,514.00
	Bit. Mix. No. 1100T, 20AA, 1 1/2"	150	Tons	34.50	\$5,175.00	53.20	\$7,980.00	44.73	\$6,709.50
16.	Bit. Mix. No. 1100T, 36B, 4" for Drive Approach	50	Tons	100.00	\$5,000.00	76.50	\$3,825.00	95.84	\$4,792.00
17.	6" Uniform Conc., MDOT Grade HE,	10	SY	68.20	\$682.00	60.00	\$600.00	100.00	\$1,000.00
	Type 1A Cement								
	Relocate Sign	2	Each	55.00	\$110.00	100.00	\$200.00	200.00	\$400.00
	. 12" CMP, 16 Gauge	105	LF	23.10	\$2,425.50	30.00	\$3,150.00	44.60	\$4,683.00
	Relocate Mailbox Post	10	Each	77.00	\$770.00	100.00	\$1,000.00	60.00	\$600.00
	Watering Sodded Areas, 1,000 Gal/Unit	60	Units	100.00	\$6,000.00	10.00	\$600.00	80.00	\$4,800.00
	Mowing Sodded Areas	4	Times	300.00	\$1,200.00	50.00	\$200.00	25.00	\$100.00
	Traffic Maintenance & Control	LS	LS	7,300.00	\$7,300.00	5,475.00	\$5,475.00	5,716.07	\$5,716.07
	Soil Erosion Control	LS	LS	1,650.00	\$1,650.00	3,500.00	\$3,500.00	1,000.00	\$1,000.00
	Turf Restoration w/4" Topsoil & Class "A" Sod	Incid.	Incid.						
26.	6" Dia. Sanitary Lead, PVC, ASTM D-3034,	50	LF	41.80	\$2,090.00	50.00	\$2,500.00	37.94	\$1,897.00
	SDR 23.5, If Needed								
	SUB-TOTAL - 93.932.3				\$79,285.50		\$79,980.00	*	\$91,245.78 *

Thompson-McCully 4751 White Lake Road Clarkston, MI 48346 **Ajax Paving** One Ajax Drive Madison Heights, MI 48071 Angelo lafrate 26400 Sherwood Warren, MI 48091

Item	Quantity		Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Project No. 99.117.1 - Forthton								
. Mobilization	LS	LS	25,000.00	\$25,000.00	17,500.00	\$17,500.00	15,000.00	\$15,000.00
B. Remove Culvert	4	Each	440.00	\$1,760.00	350.00	\$1,400.00	259.46	\$1,037.84
. Remove Drainage Structure	4	Each	330.00	\$1,320.00	500.00	\$2,000.00	152.91	\$611.64
. Remove Sewer	33	LF	16.50	\$544.50	20.00	\$660.00	25.95	\$856.35
. Remove Concrete or Asphalt Pavement	200	SY	7.70	\$1,540.00	20.00	\$4,000.00	2.45	\$490.00
2. Remove Headwall	2.00	Each	330.00	\$660.00	500.00	\$1,000.00	129.72	\$259.44
B. Reconstruct Structure	1.00	Each	495.00	\$495.00	550.00	\$550.00	804.54	\$804.54
1. Adjust Structure	1.00	Each	330.00	\$330.00	450.00	\$450.00	247.49	\$247.49
5. Earth Excavation	240.00	CY	5.50	\$1,320.00	15.00	\$3,600.00	12.16	\$2,918.40
6. Roadway Grading	1,730	SY	8.80	\$15,224.00	3.75	\$6,487.50	6.58	\$11,383.40
7. Subgrade Undercut, Incl. Crushed Conc Backfill,	25	CY	13.20	\$330.00	35.00	\$875.00	54.55	\$1,363.75
If and Where Required		•		Ψ000.00	00.00	ψο. σ.σσ	000	ψ.,σσσσ
B. Embankment	25.00	CY	8.80	\$220.00	20.00	\$500.00	10.00	\$250.00
Salvaged Aggregate for Shoulders	45	SY	8.80	\$396.00	4.00	\$180.00	30.00	\$1,350.00
D. Agg. Base, 21AA, 6", for Roadway,	150	Tons	15.40	\$2,310.00	22.50	\$3,375.00	21.48	\$3,222.00
Drives or Shoulders	.00	. 00		Ψ=,σ:σ:σσ		ψο,σ. σ.σσ		ψο,===.σσ
1. Bit. Mix. No. 500, 20C, 3"	300	Tons	48.00	\$14,400.00	44.25	\$13,275.00	38.38	\$11,514.00
2. Bit. Mix. No. 1100T, 20AA, 1 1/2"	150	Tons	39.50	\$5,925.00	53.20	\$7,980.00	45.94	\$6,891.00
B. Bit. Mix. No. 1100T, 36B, 4" for Drive Approach	40	Tons	150.00	\$6,000.00	76.50	\$3,060.00	75.35	\$3,014.00
4. 6" Uniform Conc., MDOT Grade HE,	25	SY	66.00	\$1,650.00	60.00	\$1,500.00	100.00	\$2,500.00
Type 1A Cement				4 1,00000		* 1,000110		+ =,=====
5. Relocate Sign	2	Each	55.00	\$110.00	100.00	\$200.00	200.00	\$400.00
S. Class C76-IV Sewer, 12", Tr. Det. B	80	LF	29.70	\$2,376.00	35.00	\$2,800.00	34.24	\$2,739.20
7. Class C76-IV Sewer, 15", Tr. Det. B	196	LF	34.10	\$6,683.60	40.00	\$7,840.00	36.65	\$7,183.40
B. Class C76-IV Sewer, 18", Tr. Det. B	188	LF	40.70	\$7,651.60	45.00	\$8,460.00	39.67	\$7,457.96
9. Sewer Bulkhead, 10"	2	Each	115.50	\$231.00	250.00	\$500.00	137.10	\$274.20
). Drainage Structure, 3' Dia. Catch Basin	18	Each	990.00	\$17,820.00	1,250.00	\$22,500.00	1,094.26	\$19,696.68
. Drainage Structure, 4' Dia.	6	Each	1,320.00	\$7,920.00	1,550.00	\$9,300.00	1,130.24	\$6,781.44
2. Edge Drain, 8"	1,101	LF	17.60	\$19,377.60	28.50	\$31,378.50	10.91	\$12,011.91
3. Relocate Mailbox Post	13	Each	77.00	\$1,001.00	100.00	\$1,300.00	60.00	\$780.00
4. Watering Sodded Areas, 1,000 Gal/Unit	60	Units	100.00	\$6,000.00	10.00	\$600.00	80.00	\$4,800.00
5. Mowing Sodded Areas	4	Times	300.00	\$1,200.00	50.00	\$200.00	25.00	\$100.00
5. Traffic Maintenance & Control	LS.	LS	12,000.00	\$12,000.00	5,475.00	\$5,475.00	5,716.07	\$5,716.07
7. Soil Erosion Control	LS	LS	4,950.00	\$4,950.00	3,500.00	\$3,500.00	1,000.00	\$1,000.00
B. Turf Restoration w/ 4" Topsoil & Class "A" Sod	Incid.	Incid.	.,	+ -,	-,	+-,	.,	Ţ · , · · ·
. 8" Dia. Ductile Iron Cl. 54 Water Main	722	LF	32.45	\$23,428.90	42.00	\$30,324.00	40.81	\$29,464.82
w/ Polywrap	40		07.50	# 000 00	40.00	# 400.00	E0 47	# 000 0 4
). 4" Dia. Ductile Iron Cl. 54 Water Main	12	LF	27.50	\$330.00	40.00	\$480.00	52.17	\$626.04

Bid_ Tab 01-11.xlsSheet1

Thompson-McCully 4751 White Lake Road Clarkston, MI 48346 **Ajax Paving**One Ajax Drive
Madison Heights, MI 48071

Angelo lafrate 26400 Sherwood Warren, MI 48091

Item	Quantity		Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
w/ Polywrap								
1. 8" Dia. Gate Valve & Well	1	Each	2,354.00	\$2,354.00	2,100.00	\$2,100.00	2,834.72	\$2,834.72
2. 4" Dia. Gate Valve & Well	1	Each	1,859.00	\$1,859.00	1,000.00	\$1,000.00	2,653.69	\$2,653.69
3. Jack & Bore 8"Dia. Water Main w/ Casing &	105	LF	135.30	\$14,206.50	120.00	\$12,600.00	300.00	\$31,500.00
Exclusive of Pipe								
1. Fire Hydrant Assembly, Type D	2	Each	1,969.00	\$3,938.00	2,200.00	\$4,400.00	3,267.75	\$6,535.50
5. Connect to Ex. 8" Water Main	2	Each	4,290.00	\$8,580.00	1,000.00	\$2,000.00	2,286.83	\$4,573.66
6. Connect to Ex. 4" Water Main	1	Each	2,915.00	\$2,915.00	700.00	\$700.00	2,653.68	\$2,653.68
7. 2" Blow-off Assembly	2	Each	825.00	\$1,650.00	400.00	\$800.00	477.21	\$954.42
3. Cut & Cap Water Main	2	Each	2,365.00	\$4,730.00	800.00	\$1,600.00	713.06	\$1,426.12
9. Remove Hydrant	2	Each	300.00	\$600.00	400.00	\$800.00	783.02	\$1,566.04
D. Remove Gate Valve & Well	1	Each	300.00	\$300.00	* 400.00	\$400.00	390.08	\$390.08
Tap Ex. 8" Sanitary Sewer, Including 6" Wye and Riser	1	Each	1,000.00	\$1,000.00	* 1,000.00	\$1,000.00	1,000.00	\$1,000.00
2. 6" Dia. Sanitary Lead, PVC, ASTM D-3034, SDR 23.5, Sand Backfill	30	LF	50.60	\$1,518.00	* 70.00	\$2,100.00	37.99	\$1,139.70
3. 6" Dia. Sanitary Lead, PVC, ASTM D-3034, SDR 23.5, If Needed	50	LF	41.80	\$2,090.00	40.00	\$2,000.00	37.99	\$1,899.50
SUB-TOTAL - 93.932.3				\$236,244.70	*	\$224,750.00	*	\$221,872.68
Project No. 00.102.1 - Finch								
1. Mobilization	LS	LS	12,000.00	\$12,000.00	17,500.00	\$17,500.00	15,000.00	\$15,000.00
5. Remove Culvert	11	Each	440.00	\$4,840.00	300.00	\$3,300.00	259.78	\$2,857.58
Remove Concrete or Asphalt Pavement	250	SY	7.70	\$1,925.00	20.00	\$5,000.00	3.56	\$890.00
7. Adjust Structure	3	Each	330.00	\$990.00	450.00	\$1,350.00	435.17	\$1,305.51
3. Earth Excavation	600	CY	5.50	\$3,300.00	15.00	\$9,000.00	12.17	\$7,302.00
Subgrade Undercut, Incl. Crushed Conc. Backfill, If and Where Required	50.00	CY	8.80	\$440.00	30.00	\$1,500.00	59.65	\$2,982.50
). Embankment	100.00	CY	13.20	\$1,320.00	15.00	\$1,500.00	10.00	\$1,000.00
Salvaged Aggregate for Shoulders	100.00	CY	8.80	\$880.00	12.00	\$1,200.00	8.36	\$836.00
2. Agg. Base, 21AA, 6", for Roadway, Drive Approach or Shoulder	200.00	Tons	15.40	\$3,080.00	20.00	\$4,000.00	27.30	\$5,460.00
3. Bit. Mix. No. 500C, 20C, 3"	400	Tons	42.12	\$16,848.00	38.40	\$15,360.00	37.25	\$14,900.00
4. Bit. Mix. No. 1100T, 20AA, 1 1/2"	500	Tons	34.85	\$17,425.00	41.35	\$20,675.00	38.99	\$19,495.00
5. Bit. Mix. No. 1100T, 36B, 4" for Drive Approach	50.00	Tons	110.00	\$5,500.00		\$3,825.00	87.14	\$4,357.00
6. 7" Conc. Pavement w/ Integral Curb & Gutter	250	SY	67.10	\$16,775.00	45.00	\$11,250.00	55.00	\$13,750.00
7. Class C76-IV Sewer, 12", Tr. Det. B	247	LF	29.70	\$7,335.90	35.00	\$8,645.00	34.44	\$8,506.68
3. Class C76-IV Sewer, 15", Tr. Det. B	173	LF	34.10	\$5,899.30	40.00	\$6,920.00	36.87	\$6,378.51

Bid_ Tab 01-11.xlsSheet1

Thompson-McCully 4751 White Lake Road Clarkston, MI 48346 **Ajax Paving** One Ajax Drive Madison Heights, MI 48071 Angelo lafrate 26400 Sherwood Warren, MI 48091

Item	Quar	ntity	Unit Price	Unit Price Total Cost		Total Cost	Unit Price	Total Cost	
				4		^-		^ /	
89. Class C76-IV Sewer, 18", Tr. Det. B	125	LF.	40.70	\$5,087.50	45.00	\$5,625.00	39.90	\$4,987.50	
90. Drainage Structure, 3' Dia. Catch Basin	15	Each	990.00	\$14,850.00	1,250.00	\$18,750.00	1,291.91	\$19,378.65	
91. Drainage Structure, 4' Dia. Catch Basin	6	Each	1,320.00	\$7,920.00	1,550.00	\$9,300.00	1,208.60	\$7,251.60	
92. Edge Drain, 8"	1,293	LF.	17.60	\$22,756.80	27.00	\$34,911.00	14.56	\$18,826.08	
93. Relocate Mailbox Post	15	Each	77.00	\$1,155.00	100.00	\$1,500.00	60.00	\$900.00	
94. Watering Sodded Areas, 1,000 Gal/Unit	80	Units	100.00	\$8,000.00	10.00	\$800.00	80.00	\$6,400.00	
95. Mowing Sodded Areas	4	Times	300.00	\$1,200.00	50.00	\$200.00	25.00	\$100.00	
96. Traffic Maintenance & Control	LS	LS	9,000.00	\$9,000.00	5,000.00	\$5,000.00	5,742.47	\$5,742.47	
97. Soil Erosion Control	LS	LS	1,650.00	\$1,650.00	2,500.00	\$2,500.00	1,000.00	\$1,000.00	
98. Turf Restoration w/ 4" Topsoil & Class "A" Sod	Incid.	Incid.							
99. Relocate Hydrant	1	Each	2,024.00	\$2,024.00	1,500.00	\$1,500.00	1,635.95	\$1,635.95	
100. 6" Dia. Sanitary Lead, PVC, ASTM D-3034, SDR 23.5, If Needed	50	LF	41.80	\$2,090.00	50.00	\$2,500.00	51.07	\$2,553.50	
101. Roadway Grading	2,900	SY	5.00	\$14,500.00	3.50	\$10,150.00	7.00	\$20,300.00	
SUB-TOTAL - 00.102.1				\$188,791.50 °	k	\$203,761.00		\$194,096.53	
Project No. 00.110.1 - Harris									
102. Mobilization, Max \$5,000.00	LS	LS	3,000.00	\$3,000.00	5,000.00	\$5,000.00	5,000.00	\$5,000.00	
103. Adjust Structure	1	Each	330.00	\$330.00	450.00	\$450.00	248.95	\$248.95	
104. Reconstruct Structure	1	Each	495.00	\$495.00	\$495.00 550.00 \$55		809.27	\$809.27	
105. Removing Pavement	69	SY	7.70	\$531.30	25.00	\$1,725.00	6.00	\$414.00	
106. Undercutting Subgrade, As Needed	50	CY	8.80	\$440.00	20.00	\$1,000.00	42.53	\$2,126.50	
107. Aggregate Base Under Bituminous, As Needed	150.00	Tons	15.40	\$2,310.00	15.00	\$2,250.00	25.07	\$3,760.50	
108. Roadway Grading	1,730	SY	5.00	\$8,650.00	3.75	\$6,487.50	5.41	\$9,359.30	
109. Bit. Mix. No. 500C, 20C	300.00	Tons	42.12	\$12,636.00	46.25	\$13,875.00	38.62	\$11,586.00	
110. Bit. Mix. No. 1100T, 36B	40.00	Tons	120.00	\$4,800.00	76.50	\$3,060.00	99.94	\$3,997.60	
111. Bit. Mix. No. 1100T, 20AA, 1 1/2" Wearing	150	Tons	51.00	\$7,650.00	55.20	\$8,280.00	39.44	\$5,916.00	
112. Salvaged Aggregate for Shoulders	45	CY	8.80	\$396.00	20.00	\$900.00	34.69	\$1,561.05	
113. Soil Erosion Control	LS	LS	1,650.00	\$1,650.00	2,500.00	\$2,500.00	1,000.00	\$1,000.00	
114. Traffic Maintenance Control	LS	LS	3,000.00	\$3,000.00	4,250.00	\$4,250.00	10,000.00	\$10,000.00	
115. Mail Box Post, As Needed	10	Each	77.00	\$770.00	100.00	\$1,000.00	* 60.00	\$600.00	*
SUB-TOTAL - 00.110.1				\$46,658.30 °	*	\$51,327.50	*	\$56,379.17	*
Alternate A									
116. Tap Drainage Structure	2	Each	2,024.00	\$4,048.00	300.00	\$600.00	817.98	\$1,635.96	
117. Remove Storm Sewer	95.00	LF	16.50	\$1,567.50	20.00	\$1,900.00	26.10	\$2,479.50	
118. 12" R.C.P. Trench Detail A	10	LF	31.10	\$311.00	35.00	\$350.00	34.44	\$344.40	
Bid_ Tab 01-11.xlsSheet1									

			4751 White La Clarkston, MI	ke Road	One Ajax Drive Madison Heigh		26400 Sherwood Warren, MI 48091	
Item	Quar	ntity	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
119. 18" R.C.P. Trench Detail B	469.00	LF	40.70	\$19,088.30	45.00	\$21,105.00	47.26	\$22,164.94
120. 30" R.C.P. Trench Detail A	96.00	LF	63.80	\$6,124.80	120.00	\$11,520.00	79.27	\$7,609.92
121. 30" R.C.P. Trench Detail B	41.00	LF	72.60	\$2,976.60	110.00	\$4,510.00	81.71	\$3,350.11
122. 5' Dia. Drainage Structure	3.00	Each	1,595.00	\$4,785.00	1,850.00	\$5,550.00	3,294.74	\$9,884.22
123. 4' Dia. Drainage Structure	1.00	Each	1,375.00	\$1,375.00	1,550.00	\$1,550.00	1,352.01	\$1,352.01
124. Std. Conc. End Section, 30"	1.00	Each	990.00	\$990.00	1,000.00	\$1,000.00	839.95	\$839.95
125. Structure Covers	1,200	LBS	1.50	\$1,800.00	1.75	\$2,100.00	1.21	\$1,452.00
126. Bit. Mix. No. 500, 20C, 3"	173.00	Tons	48.00	\$8,304.00	46.25	\$8,001.25	47.47	\$8,212.31
127. Bit. Mix. No. 1100T, 20AA, 1 1/2"	86	Tons	60.00	\$5,160.00	55.20	\$4,747.20	59.23	\$5,093.78
SUB-TOTAL - Alternate A				\$56,530.20		\$62,933.45		\$64,419.10
SUB-TOTAL - Project No. 93.932.3 - Daley				\$79,285.50		\$79,980.00		\$91,245.78
SUB-TOTAL - Project No. 99.117.1 - Forthton				\$236,244.70		\$224,750.00		\$221,872.68
SUB-TOTAL - Project No. 00.102.1 - Finch				\$188,791.50		\$203,761.00		\$194,096.53
SUB-TOTAL - Project No. 00.110.1 - Harris				\$46,658.30		\$51,327.50		\$56,379.17
SUB-TOTAL - Alternate A - Harris				\$56,530.20		\$62,933.45		\$64,419.10
TOTAL - Contract 2001-11				\$607,510.20		\$622,751.95		\$628,013.26

Thompson-McCully

Ajax Paving

Angelo lafrate

Additional Bidders: Peake Contracting - \$667,531.00 Barrett Paving - \$809,413.74

ENGINEER: Gary Streight

^{*} Corrected by Engineer

August 30, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager

Jeanette Bennett, Purchasing Director

William Nelson, Fire Chief

Subject: Standard Purchasing Resolution 1: Award to Low Bidder –

Survivair Air Pack Parts

RECOMMENDATION

On August 16, 2001, bids were opened for Survivair Air Pack Upgrade Parts with one company responding. The Fire Department recommends that a contract be awarded to the sole bidder, The Argus Group, at unit prices contained in the attached bid tabulation opened August 16, 2001, for an estimated total cost of \$126,056.93.

In addition, staff recommends rejection of Item #2, 2nd Stage Regulators, due to budgetary limitations.

BACKGROUND

The present air packs used by the Fire Department are six years old, and are required to be overhauled by the manufacturer. At the time of overhaul, we are adding a redundant low-pressure alarm system, and a personal alert system (PAS). The PAS sounds an alarm if the wearer remains motionless for a specified amount of time. Both of these options increase firefighter safety. We are also purchasing six Rapid Intervention Team bags, which carry one hour of air and a regulator that can be used for firefighter rescue.

BUDGET

Funds are available to purchase the equipment in the Fire Department Operating Capital Account # 338.7740.115.

13 Bids Sent 2 Bids Received 1 No Bid

Prepared by: Richard Sinclair, Asst. Fire Chief

Opening Date -- 8/16/01 Date Prepared -- 8/28/01

CITY OF TROY BID TABULATION SURVIVAIR AIR PACK PARTS

ed -- 8/28/01 SURVIVAIR AIR PACK PARTS

PROPOSAL - FURNISH SURVIVAIR AIR PACK PARTS IN ACCORDANCE WITH SPECIFICATIONS.	VENDOR NAME: *			** ARGUS GROUP							
TEM GTY. MODEL DESCRIPTION UNIT PRICE EXTENSION UNIT PRICE EXTENSION											
TEM GTY. MODEL DESCRIPTION UNIT PRICE EXTENSION UNIT PRICE EXTENSION	PR∩I	POSAL -	- FLIRNISH	I SI IRVIVAIR AIR DAC	'K E	DARTS IN	ΔΟ	CORDANC	E WITH SDE	CIFICATION	<u> </u>
1.							_		1	1	J.
Option 1.a		Ψ		2200:	-						
1.a.	1.	145 EA	#961676	Bell alarm upgrade ki	\$	260.89	\$	37,829.05			
Item 1											
2. 145 EA #961793 2nd Stage regulator	1.a.	145 EA		_		20.00	¢	2 000 00			
Option 2.a.				item i	Ψ	20.00	Ψ	2,900.00			
2.a. 145 EA #961572 2nd Stage regulator overhaul kit \$ 36.24 \$ 5,254.80 2.b. 145 EA Installation Charge on Item 2.a. \$ 20.00 \$ 2,900.00 4. 145 EA #970412 4500 psi analog gauge kit with light groups integrated Pass device with mounting for Classic Back Pack \$ 362.35 \$ 52,540.75 6. 6 EA #964610 RIT bag with flashlight \$ 336.25 \$ \$ 52,540.75 7. 6 EA #917160 60 minute Carbon wrapped cylinder \$ 942.94 \$ \$ 5,657.64 ESTIMATED GRAND TOTALS \$ 126,056.93 DELIVERY WITH IN CALENDAR DAYS Blank TERMS: Net 30 WARRANTY: 90 Days - Parts/Labor DELIVERY DATE: 6-8 Weeks for Parts EXCEPTIONS: Blank NO BIDS: West Shore Fire Inc. ATTEST: Rick Sinclair Flo Opatik Linda Bockstanz Jeanette Bennett	2.	145 EA	#961793	2nd Stage regulator	\$	216.68	\$	31,418.60	=>RECOMME	ND REJECTI	ON ITEM #2
Option 2.b. 145 EA	-										
Option 2.b. 145 EA Installation Charge on Item 2.a. \$ 20.00 \$ 2,900.00 4. 145 EA #970412 4500 psi analog gauge kit with light gauge kit with light gauge kit with light Pass device with mounting for Classic Back Pack Pass device with mounting for Classic Back Pack Sack Pack Pack Pack Pack Pack Pack Pack P	2.a.	145 EA	#961572		•	20.24		E 0E4 00			
2.b. 145 EA	Ontio	n		overnaul kit	_\$_	36.24	\$	5,254.80			
Item 2.a. \$ 20.00 \$ 2,900.00	-			Installation Charge on	١						
gauge kit with light \$ 108.71 \$ 15,762.95 \$ 5. 145 EA #962600 Compass integrated Pass device with mounting for Classic Back Pack \$ 362.35 \$ 52,540.75 \$ 6. 6 EA #964610 RIT bag with flashlight \$ 535.29 \$ 3,211.74 \$ 7. 6 EA #917160 60 minute Carbon wrapped cylinder \$ 942.94 \$ 5,657.64 \$ ESTIMATED GRAND TOTALS \$ 126,056.93 \$ DELIVERY WITH IN CALENDAR DAYS \$ Blank \$ TERMS: Net 30 \$ WARRANTY: 90 Days - Parts/Labor \$ DELIVERY DATE: 6-8 Weeks for Parts \$ EXCEPTIONS: Blank \$ NO BIDS: West Shore Fire Inc. ATTEST: Rick Sinclair Flo Opatik Control of the control of th				_		20.00	\$	2,900.00			
gauge kit with light \$ 108.71 \$ 15,762.95 \$ 5. 145 EA #962600 Compass integrated Pass device with mounting for Classic Back Pack \$ 362.35 \$ 52,540.75 \$ 6. 6 EA #964610 RIT bag with flashlight \$ 535.29 \$ 3,211.74 \$ 7. 6 EA #917160 60 minute Carbon wrapped cylinder \$ 942.94 \$ 5,657.64 \$ ESTIMATED GRAND TOTALS \$ 126,056.93 \$ DELIVERY WITH IN CALENDAR DAYS \$ Blank \$ TERMS: Net 30 \$ WARRANTY: 90 Days - Parts/Labor \$ DELIVERY DATE: 6-8 Weeks for Parts \$ EXCEPTIONS: Blank \$ NO BIDS: West Shore Fire Inc. ATTEST: Rick Sinclair Flo Opatik Linda Bockstanz Linda Bockstanz Jeanette Bennett	1	1 <i>1</i> 5 E	#070412	4500 psi analog							
5. 145 EA #962600 Compass integrated Pass device with mounting for Classic Back Pack \$ 362.35 \$ 52,540.75 6. 6 EA #964610 RIT bag with flashlight \$ 535.29 \$ 3,211.74 7. 6 EA #917160 60 minute Carbon wrapped cylinder ESTIMATED GRAND TOTALS DELIVERY WITH IN CALENDAR DAYS TERMS: WARRANTY: 90 Days - Parts/Labor DELIVERY DATE: EXCEPTIONS: Blank NO BIDS: West Shore Fire Inc. ATTEST: Rick Sinclair Flo Opatik Linda Bockstanz Jeanette Bennett	4.	143 LA	#310412		\$	108.71	\$	15.762.95			
Pass device with mounting for Classic Back Pack \$ 362.35 \$ 52,540.75 6. 6 EA #964610 RIT bag with flashlight \$ 535.29 \$ 3,211.74 7. 6 EA #917160 60 minute Carbon wrapped cylinder \$ 942.94 \$ 5,657.64 ESTIMATED GRAND TOTALS \$ 126,056.93 DELIVERY WITH IN CALENDAR DAYS Blank TERMS: Net 30 WARRANTY: 90 Days - Parts/Labor DELIVERY DATE: 6-8 Weeks for Parts EXCEPTIONS: Blank NO BIDS: West Shore Fire Inc. ATTEST: Rick Sinclair FIo Opatik Linda Bockstanz Jeanette Bennett	_	445.54	" 22222				_	10,102.00			
for Classic Back Pack \$ 362.35 \$ 52,540.75 6. 6 EA #964610 RIT bag with flashlight 7. 6 EA #917160 60 minute Carbon wrapped cylinder ESTIMATED GRAND TOTALS DELIVERY WITH IN CALENDAR DAYS TERMS: WARRANTY: DELIVERY DATE: EXCEPTIONS: Blank No BIDS: West Shore Fire Inc. ** DENOTES SOLE BIDDER ** DENOTES SOLE BIDDER	5.	145 EA	#962600		ıntir	NG.					
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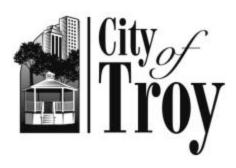
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HILLER SYSTEMS - VIRGINIA 833 PRINCIPAL DRIVE CHESAPEAKE VA 23320 KURENT SAFETY INC 3790 EAST WILLIAM STREET DECATUR IL 62521

PENDERGAST SAFETY EQUIPMENT 8400 ENTERPRISE AVE PHILADELPHIA PA 19153 SURVIVAIR CORPORATION 3001 S SUSAN ST SANTA ANA CA 92704

TIME EMERGENCY EQUIPMENT 2341 AVON INDUSTRIAL DRIVE ROCHESTER HILLS MI 48309 WEST SHORE FIRE INC 6620 LAKE MICHIGAN P O BOX 188 ALLENDALE MI 49401



September 4, 2001

TO: MAYOR AND MEMBERS OF CITY COUNCIL

FROM: LORI GRIGG BLUHM, ACTING CITY ATTORNEY

RE: MARIE SKIRAK v. SCHULTZ, CITY OF TROY et. al

Attached please find a copy of a summons and complaint, filed by Marie Skirak against the City of Troy and Troy Police Service Aide Steven Vaillancourt, in addition to co-defendants Robert Schultz, Victoria and Arthur Ko, and Karen Dubay. According to the police department report, on January 2, 2001 at 8:30 am, PSA Vaillancourt had stopped on the shoulder, with his lights flashing, to assist a motorist whose vehicle had broken down. While he was assisting the driver of this car, a semi traveled past, and dropped a large piece of steel (later found to be a car door) into the travel lanes of I-75. Vaillancourt observed that cars were having difficulty in avoiding the obstruction, and was able to remove the steel when the traffic had cleared. After the car door was successfully retrieved and placed on the other side of the railing, a collision occurred. According to the Michigan State Police accident report, co-defendant drivers Ko and Dubay had stopped to allow Vaillancourt to remove the steel door. Co-defendant Robert Schultz, the son in law of Plaintiff, rear ended Ko's vehicle, which then hit Dubay's vehicle. Plaintiff, who was unbuckled in the back seat, suffered from leg and head injuries as a result of this collision.

The complaint alleges that Vaillancourt was grossly negligent, and therefore caused the collision. There is also a second count, alleging that the motor vehicle exception to governmental immunity subjects the City to liability.

Absent objections, the City Attorney's Office will assume representation of the City in this case.

If you have any questions concerning the above, please let us know.

STATE OF MICHIGAN JUDICIAL DISTRI 6th JUDICIAL CIRCUIT **COUNTY PROBATE**

SUMMONS AND COMPLAINT

TROY LAW DEPARTMENT

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	01-033762-NI	
	01-033702	
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-	IN THE PART OF THE	

J.

Bar no.

Bar no.

Court address

1200 N. Telegraph, Pontiac, MI 48341

GORATTY SKIRAK MARIE US SCHULTZ ROBE INE NO. Defendant hame(s), address(es), and telephone no(s). Plaintiff name(s), address(es), and telephone no(s). MARIE SKIRAK ROBERT E. SCHULTZ, JR., VICTORIA T. KO, ARTHUR C. KO, and KAREN M. DUBAY f/k/a Karen M. Holt, CITY OF TROY, and STEVEN VAILLANCOURT Plaintiff attorney, bar no., address, and telephone no. Matthew K. Casey (P43952) George J. David (P30080) 12900 Hall Rd, Ste 350 Sterling Heights, MI 48313 (810) 726-1000 SUMMONS NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified: You are being sued. 2. YOU HAVE 21 DAYS after receiving this summons to file an answer with the court and serve a copy on the other party or to take other lawful action (28 days if you were served by mail or if you were served outside this state). 3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint. Issued This summons is invalid unless served on or before its expiration date. Instruction: The following is information that is required to be in the caption of every complaint and is COMPLA to be completed by the plaintiff. Actual allegations and the claim for relief must be stated on additional complaint pages and attached to this form. Family Division Cases There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint. An action within the jurisdiction of the family division of the circuit court involving the family or family members of the parties has been previously filed in The action Liemains L is no longer pending. The docket number and the judge assigned to the action are:

General	Civil	Cases
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Docket no.

There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint. A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has been previously filed in

Judge

The action I remains is no longer pending. The docket number and the judge assigned to the action are:

Docket no. Judge

VENUE

Plaintiff(s) residence (include city, township, or village)

Defendant(s) residence (include city, township, or village)

Oakland County

Place where action arose or business conducted

Oakland County

I declare that the complaint information above and attached is true to the best of my information, knowledge, and belief.

August 2, 2001

If you require special accommodations to use the court because of disabilities, please contact the court immediately to make arrangements.

MC 01 (9/98) SUMMONS AND COMPLAINT

MCR 2.102(B)(11),MCR 2.104,MCR 2.105,MCR 2.107,MCR 2.113(C)(2)(a),(b),MCR 3.206(A)

01-033762-NI OLIVER JUDGE EDWARD SOSNICK SOMMY SKIRAK MARIE US SCHULTZ ROBE

STATE OF MICHIGAN

OAKLAND COUNTY CIRCUIT COURT

MARIE SKIRAK,

Plaintiff,	`	
V	Case No. 01- Hon.	-NI
ROBERT E. SCHULTZ, JR.,	grant.	
VICTORIA T. KO, ARTHUR C. KO and KAREN M. DUBAY f/k/a		<u>,</u>
Karen M. Holt, CITY OF TROY		• -
and STEVEN VAILLANCOURT,		II rb
Defendants.	6 X	
O'REILLY, RANCILIO, NITZ, ANDREWS,		
TUDNOUL COOST DO		-

TURNBULL & SCOTT, P.C.
Matthew K. Casey (P43952)
George J. David (P30080)
12900 Hall Road, Suite 350
Sterling Heights, MI 48313-1151
(810) 726-1000 OFFICE
(810) 726-1560 FAX
Attorneys for Plaintiff

THERE IS NO PENDING OR RESOLVED CIVIL ACTION ARISING OUT OF THE SAME TRANSACTION OR OCCURRENCE AS ALLEGED IN THE COMPLAINT.

COMPLAINT AND JURY DEMAND

Plaintiff, Marie Skirak, through her attorneys, O'Reilly, Rancilio, Nitz, Andrews, Turnbull & Scott, P.C., for her Complaint in the above captioned matter, states as follows:

- 1. She is a resident of Florida.
- 2. Defendants are residents of Oakland County.
- 3. The injury giving rise to this action took place in Oakland County.
- 4. The amount in controversy is in excess of \$25,000, and is otherwise within the jurisdiction of this court.

COUNT I

- 5. Plaintiff sustained injuries as a result of the following facts:
 - a. On January 2, 2001 at approximately 8:30 a.m. an automobile collision occurred on southbound I-75 south of Adams Road.
 - b. At all relevant times, Defendant Robert E. Schultz, Jr. was the driver of a 1998 Lincoln bearing Michigan license number CDK365, vehicle number 1LNFM82W9WY612430, when this collision occurred.
 - c. At all relevant times, Defendant Victoria T. Ko was the driver of a 1995 BMW bearing Michigan license number QTY544, vehicle number 4USCC8328SLA10077, when this collision occurred.
 - d. At all relevant times, Defendant Karen M. Dubay f/k/a Karen M. Holt was the driver of a 1996 Pontiac bearing Michigan license number KMW362, vehicle number 1G2NE12M7TM548611, when this collision occurred.
 - e. Defendant Victoria T. Ko operated the vehicle owned by Defendant Arthur C. Ko with his express or implied consent at the time of the collision.
 - f. When the collision occurred, Plaintiff was a passenger in the vehicle being driven by Defendant Robert E. Schultz, Jr.
 - g. At that time and place, Defendant Robert E. Schultz, Jr. collided with the vehicle being driven by Defendant Victoria T. Ko.
- 6. Defendants owed Plaintiff a duty to use due care.
- 7. Defendants violated that duty in the following manner:
 - a. Driving without due care and caution and in such a manner as to endanger the Plaintiff.
 - b. Failing to drive at a careful and prudent speed, having due regard to the traffic, surface and width of the highway and other existing conditions, in violation of MCLA 257.627.
 - c. Driving on a highway or other area open to the general public in wilful or wanton disregard for the safety of persons or property, in violation of MCLA 257.626.

- d. Failing to drive upon the highway at a speed not greater than would permit bringing said vehicle to a stop within the assured clear distance ahead, in violation of MCLA 257.627.
- e. Failing, before turning from a direct line, to see that such movement could be made in safety, in violation of MCLA 257.648.
- f. Any other such acts of negligence that may be unknown at this time, but may become known at a later time, and proven at the time of trial.
- 8. Defendant Arthur C. Ko's vehicle was being driven by Defendant Victoria T. Ko with his express and/or implied consent and by reason of that fact, Defendant Arthur C. Ko is liable to Plaintiff pursuant to MCLA 257.401.
- 9. As a direct and proximate result of the breach by Defendants, Plaintiff sustained serious impairment of body function, serious permanent disfigurement, and excess medical expenses.
 - 10. There was no comparative negligence on the part of Plaintiff.

COUNT II

- 11. The Plaintiff realleges the allegations contained in Paragraphs 1 through 10 above.
- 12. The Defendant, City of Troy, is a municipal corporation organized and existing in accordance with Michigan law.
- 13. The Defendant, Steven Vaillancourt, was, at all times, relevant to this action, an employee of the City of Troy, Michigan.
- 14. On or about January 2, 2001, Defendant, Mr. Vaillancourt was the driver of a City-owned vehicle which he parked on the shoulder of southbound I-75, near Adams Road.
- 15. That Defendant, Mr. Vaillancourt, was driving a vehicle owned by the Defendant, City of Troy, and that Mr. Vaillancourt was operating that vehicle with the

express consent and permission of its owner, Defendant City, in accordance with the driver's scope of employment with Defendant City.

- 16. At this time and place, Defendant, Mr. Vaillancourt, suddenly, and without warning, exited his vehicle and negligently and carelessly crossed the first lane of traffic on I-75 and entered the middle lane of traffic on I-75, on foot, thereby creating a dangerous and hazardous condition for himself and drivers/passengers traveling in the area.
- 17. That as a result of his negligent and careless actions, a collision occurred between three (3) vehicles attempting to take evasive actions to avoid colliding with Mr. Vaillancourt, ultimately resulting in the collision of those vehicles as mentioned.
- 18. At all times, Defendant driver owed a duty to the Plaintiff and to the public in general to do the following:
 - a. Operate his City-owned vehicle in a safe, prudent and reasonable manner.
 - b. Yield the right-of-way to vehicles having the right-of-way.
 - c. Not create a sudden emergency/dangerous condition for other vehicles in the right-of-way, and their passengers.
 - d. Obey all traffic laws, regulations, and ordinances and/or due care and caution.
 - e. Refrain from walking in the traveled portion of I-75.
- 19. Defendant driver breached one or more of these duties by committing the following acts and/or omissions:
 - a. Failing to operate his motor vehicle in a safe, prudent, and reasonable manner.
 - b. Failing to yield the right-of-way to vehicles having the right-of-way.
 - c. Failing to obey all traffic laws, regulations, and ordinances.
 - d. Negligently and recklessly operating his motor vehicle.

- e. Negligently and recklessly walking about the traveled portion of I-75.
- f. In a grossly negligent manner, created a dangerous situation in the traveled portion of I-75.
- g. All other actions constituting negligence and gross negligence as the facts bear out.
- 20. As a direct and proximate cause, Defendant Vaillancourt 's negligence and gross negligence, Plaintiff suffered a serious impairment of body function, permanent and serious disfigurement and other serious injuries, including, but not limited to, the following:
 - a. Fractured left femur.
 - b. Trauma/closed head injury.
 - c. Commitment to hospital and/or nursing home for the treatment of injuries sustained in this accident.
 - d. Permanent scars.
 - e. Various other injuries that may be determined through the course of treatment or rehabilitation.
- 21. As a further and direct and proximate result of Defendant Vaillancourt's and the City's negligence, and gross negligence, Plaintiff has suffered the following:
 - a. Lost future earnings and/or wage loss.
 - b. Pain and suffering.
 - c. Emotional distress.
 - d. Loss of life's enjoyment.
 - e. Disfigurement.
 - f. Anxiety over future medical treatment and impairments.
 - g. Disability.
- 22. That the actions of the Defendant City constitute gross negligence as it failed to give adequate training to its employee which would have prevented the actions taken

by Defendant, Mr. Vaillancourt, thereby resulting in the accident that caused damages to this Plaintiff.

- 23. That the actions by the City in failing to adequately train its employee, Defendant, Mr. Vaillancourt, demonstrated an intentional failure to perform a duty in reckless disregard of the consequences which affected the life of another. Such actions demonstrated a gross disregard or care for the rights of others so as to justify the presumption of willfulness.
- 24. That Defendant, City of Troy, proximately caused Plaintiff's injuries and damages and was grossly negligent because it was so reckless that it demonstrated a substantial lack of concern for whether the Plaintiff would be injured.
- 25. That the gross negligence by Defendant, City of Troy, constitutes an exemption to governmental immunity.

Therefore, Plaintiff requests this Court award fair and just compensation in an amount exceeding \$25,000, plus all interest, costs and attorney fees allowable by law.

COUNT III

- 26. The Plaintiff realleges the allegations contained in Paragraphs 11 through 25 above.
- 27. That upon good faith information and belief, Defendant Steven Vaillancourt is a resident of Oakland County.
- 28. That on or about January 2, 2001, Defendant, Mr. Vaillancourt, was a driver of a vehicle which he parked on the shoulder of southbound I-75, near Adams Road.
- 29. On said date, Defendant, Mr. Vaillancourt, exited his vehicle and suddenly, negligently, and carelessly crossed the first lane of traffic on I-75 and entered the middle

lane of traffic on I-75, on foot, thereby creating a dangerous and hazardous condition for himself and drivers/passengers traveling in the area.

- 30. That as a result of Defendant Vaillancourt's actions, a situation was created thereby causing the drivers of three (3) different vehicles to try to attempt to avoid him as well as each other, thereby resulting in a three (3) car collision.
 - 31. That Defendant Vaillancourt, owed Plaintiff a duty to use due care.
 - 32. That Defendant Vaillancourt violated that duty in the following manner:
 - a. Parking his vehicle in an unlawful fashion on the shoulder of the I-75.
 - b. Leaving his motor vehicle parked on the shoulder of southbound I-75 and crossing two (2) lanes of the traveled portion of southbound I-75, on foot, contrary to MCLA 257.679a.
 - c. Failed to make proper observations before entering the traveled portion of southbound I-75 and to see that the such action could be made in safety.
 - d. Any other such acts of negligence that are unknown at this time, but may become known in the course of discovery and that will be proven at the time of trial.
- 33. As a direct and proximate result of the breach by Defendant, Mr. Vaillancourt, the Plaintiff, a passenger in the vehicle involved in the three (3) car accident that resulted from Mr. Vaillancourt's negligence, sustained serious impairment of body function, serious permanent disfigurement and excess medical expenses as well as other damages as set forth in Count II above.
 - 34. There was no comparative negligence on the part of the Plaintiff.

Therefore, the Plaintiff requests that this Court enter judgment against Defendants in an amount that will fairly and adequately compensate her for her injuries, suffering, damages, and losses, together with the cost of this action, attorney fees and interest.

DEMAND FOR JURY TRIAL

Plaintiff, Maria Skirak, by and through her counsel, O'Reilly, Rancilio, Nitz, Andrews, Turnbull & Scott, P.C., pursuant to the provisions of MCR 2.508(B), makes this demand for trial by jury as to all causes of action and issues so triable in this matter.

O'REILLY, RANCILIO, NITZ, ANDREWS, TURNBULL & SCOTT, P.C.

Ву:

Matthew K Casey (P43952)
George J. David (P30080)
12900 Hall Road, Suite 350
Sterling Heights, MI 48313-1151
(810) 726-1000 OFFICE
(810) 726-1560 FAX
Attorneys for Plaintiff

DATED: August 2, 2001

September 4, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

John M. Lamerato, Assistant City Manager/Finance & Administration

Jeanette Bennett, Purchasing Director

Tonni Bartholomew, City Clerk

Re: Standard Purchasing Resolution 4: Tri-County Purchasing

Cooperative - Copy Paper

RECOMMENDATION

On June 26, 2001, bids were opened for a one-year contract to furnish Xerographic Paper expiring September 5, 2002. It is recommended that an award be made to the low bidder meeting specifications, Xpedx Paper & Graphics of Roseville at unit prices contained in the attached bid tabulation dated June 26, 2001. The contract was bid for the Tri-County Purchasing Cooperative by the City of Sterling Heights, the host city.

SUMMARY

The City of Sterling Heights is able to secure firm pricing because of volume due in large part to the operation of a print shop. Unit prices stated in the attached agenda statement for Xpedx are the same as last year's contract prices.

Vendors were disqualified if they took exception to firm prices for the one-year period.

BUDGET

Funds for this contract are cleared through a duplicating account and charged to various department-operating budgets as needed.

41 Bids Sent

13 Bids Rec'd

1 No Bid

1 Bid did not meet specifications

Prepared by: Susan Leirstein, CPPB, Buyer



Refer to motion in attached Staff Report.

Business of the City Council Sterling Heights, Michigan

City Clerk's Use Item No: Meeting:

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AGENDA STATEMENT

	OIVIB .	ASU3 Rev. 6/5	99		
Hem Title	: Award of Bid for Printing, Xerographic, Con	nputer Pap	er and Envel	opes	
Submitte	d By: Office of Purchasing				
Contact F	Person/Telephone: Janice Sierzenga, 446-2	741			
Administ	ration (initial as applicable)		Attach	ıments	
MARKA COMMANDA	Management & Budget Director		Resolution		Minutes
	City Attorney (as to legal form)	MA-MATCHINA II.	Ordinance		Plan/Map
	City Manager		Contract		Other
	Check box if this agenda item requires billing/rev	venue colle	ction (fees, etc.) by Trea	sury Office
Special N	lotes: e Summary:				
vendor, M the bid for Graphics, in Section items with longer bein prices to Birmingha	26, 2001 the paper bid was received for a or lillcraft American Paper, was disqualified for now paper between the following three (3) vene who were the low bidders meeting specification IV (Print Shop Paper), Part B (Special Brankin the section. Copy paper is priced the same ing used, pricing overall is approximately \$10, the Tri-County Cooperative which consists am, Farmington Hills, Southfield, Oak Park, M. Bloomfield Township.	ot holding dors: For ions. Xpe d Name F e as last ye ,000 less t s of a nu	prices for onms Trac, Papdx was not all Paper), they wear and even han last year umber of mu	e year. per Expr ways the vere the though of Xpedx unicipalit	Request is to split award of the same of t
Suggeste	ed Action:				
MOVED E	BY:	SEC	ONDED BY:		

CITY OF STERLING HEIGHTS STAFF REPORT

August 21, 2001

Prepared By: Janice Sierzenga, Purchasing Manager

Ext. No. 2741

GENERAL INFORMATION:

On June 26, 2001, bids were received for Xerographic, Computer, Print Shop Paper and Envelopes. Invitations to bid were sent to 41 vendors, the Chamber of Commerce, advertised on Cable Channel 5 and published in the Sentry newspaper. Twelve (12) vendors responded as outlined in the attached bid tabulation. All of the paper and envelopes will be purchased through an inventory account 11110000-115.000 and cross charged to the final user department or division. It is anticipated that we will spend approximately \$45,050.95 during this one (1) year period.

STAFF ANALYSIS AND FINDINGS:

Any vendors submitting bids which did not agree to hold their pricing for one year were not considered because they did not meet bid specifications. The following vendors chosen were those that met specifications without stipulations as well as bidding on the majority of items in each section.

STAFF RECOMMENDATION:

Resolve to split award of the bid for Xerographic, Computer, Print Shop Paper and Envelopes at unit prices as follows:

Bid "A" - Xerographic Paper

To Xpedx Paper & Graphics, 28030 Groesbeck Hwy., Roseville, MI 48066:

8½ x 11 20# White Bond \$4.35/m 8½ x 14 20# White Bond \$5.54/m

Bid "B" - Print Shop Paper

Part 1 - General Paper

To Paper Express, 2300 Meijer Dr., Troy, MI 48084:

8½ x 11 Vellum White 60# 8½ x 14 Vellum White 60# 8½ x 11 Vellum Colors 60# 8½ x 14 Vellum Colors 60#	\$5.97/m \$7.59/m \$7.08/m \$9.00/m
11 x 17 Vellum White 60#	\$11.94/m
11 x 17 Vellum Colors 60#	\$14.16/m
8½ x 11 Opaque Smooth White 70#	\$6.96/m
8½ x 14 Opaque Smooth White 70#	\$8.87/m
11 x 17 Offset Opaque Smooth White 70#	\$13.92/m
8½ x 11 White Vellum Bristol 67#	\$10.90/m
8½ x 11 Colors Vellum Bristol 67#	\$13.15/m
11 x 17 White Vellum Bristol 67#	\$21.80/m
11 x 17 Colors Vellum Bristol 67#	\$26.30/m

Part 2 –3M Carbonless Paper

To Paper Express, 2300 Meijer Dr., Troy, MI 48084:

8½ x 11 2 Part Carbonless	\$10.15/m
8½ x 11 3 Part Carbonless	\$11.45/m
8½ x 11 4 Part Carbonless	\$12.25/m
8½ x 11 5 Part Carbonless	\$12.65m
8½ x 14 2 Part Carbonless	\$12.95/m
8½ x 14 3 Part Carbonless	\$14.60/m
8½ x 14 4 Part Carbonless	\$15.60/m
8½ x 11 CF Manila Tag	\$32.00/m
Adhesive for above paper	\$19.95/qt.

Part 3 - Carbonless Paper

To Xpedx Paper & Graphics, 28030 Groesbeck Hwy., Roseville, MI 48066:

8½ x 11 2 Part Green/White Precollated	\$14.95/m
81/2 x 11 3 Part White Precollated	\$12.50/m
Adhesive for above paper	\$18.50/qt

Part 4 - Special Brand Name Paper

To Xpedx Paper & Graphics, 28030 Groesbeck Hwy., Roseville, MI 48066:

8½ x 11 Fox River Script Wove 24#	\$23.00m
8½ x 11 Fasson Crack & Peel Vellum White	\$169.00/m
8½ x 11 Fasson Crack & Peel Vellum Colors	\$194.00/m
8½ x 11 Linenweave Text White Virgin 70#	\$17.10/m
11 x 17 Linenweave Text, 70#, White Virgin	\$35.75/m
8½ x 11 Royal Fiber Text White Virgin 70#	\$16.20/m
11 x 17 Royal Fiber Text White Virgin 70#	\$33.50/m
11 x 17 Royal Fiber Text Color Virgin 70#	\$33.50/m
8½ x 11 Fasson Crack & Peel Vellum Fluorescent	\$216.00/m
8½ x 11 Astro-Bright Vellum Offset Colors 60#	\$12.10/m
8½ x 11 Astro-Bright Vellum Cover Colors 65#	\$23.50/m
11 x 17 Astro-Bright Vellum Offset Colors #60	\$24.00/m
11 x 17 Astro-Bright Vellum Cover Colors #65	\$47.25/m
8½ x 14 Astro-Bright Vellum All Colors 60#	\$15.80/m

Bid "C" - Computer Paper

To Paper Express, 2300 Meijer Dr., Troy, MI 48084:

14% x 11 One Part Green Bar 20#	\$9.05/m
14% x 11 One Part White Bond Blank 20#	\$5.90/m
9½ x 11 Two Part Carbonless, White Blank	\$16.40/m
9½ x 11 Three Part Carbonless, White Blank	\$27.20/m
9½ x 5½ One Part Bond White Blank 20#	\$3.55/m
Pressure Sensitive Labels	\$2.07/m

To Forms Trac Enterprises, Inc., 637 E. Big Beaver Road, Suite 211, Troy, MI 48083

8 7/16 x 4½ 2 Ply Lien Paper Carbonless \$4.24/rl

Bid "D" - Envelopes - Unprinted

To Xpedx Paper & Graphics, 28030 Groesbeck Hwy., Roseville, MI 48066:

#10 Business Envelopes 24#	\$10.50/m
#10 Window Business Envelopes 24#	\$12.95/m
#63/4 Window Business Envelopes, White 24#	\$13.75/m
#9 White Envelopes 24#	\$10.50/m

CITY OF STERLING HEIGHTS PRINTING, XEROGRAPHIC, COMPUTER PAPER AND ENVELOPES BID TABULATION - JUNE 26, 2001

		Bye-Mo'r Inc.		Dale Office Plus		Forms Trac		Gemini Forms	
		VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED
BID A -	Xerographic Paper	disqualified	N/B	N/B	N/B	N/B	N/B	14,083.50	N/B
BID B -	Print Shop Paper Part 1 - General Paper Part 2 - 3M Carbonless Paper Part 3 - Carbonless Paper Part 4 - Special Name Brand Paper	N/B	N/B	N/B	N/B	N/B	N/B	N/B	N/B
BID C -	Computer Paper	N/B	N/B	238.80	N/B	8,238.78*	· N/B	5,890.45*	N/B
BID D -	Envelopes - Unprinted	2,751.05*	3,160.50	2,963.25	2,961.00	N/B	N/B	N/B	N/B
	GRAND TOTAL:	2,751.05*	3,160.50	3,202.05	2,961.00	8,238.78*	N/B	19,973.95*	N/B
Contract Extension		<u> </u>	No	Y	'es		?	Y	es

		Millcra	ft of Mi	Office	Depot	Paper l	Express	Savin Corporation	
		VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED
BID A -	Xerographic Paper	disqualified	disqualified	14,499.00	14,862.60	14,170.50	14,904.00	13,937.40	14,575.50
BID B -	Print Shop Paper Part 1 - General Paper Part 2 - 3M Carbonless Paper Part 3 - Carbonless Paper Part 4 - Special Name Brand Paper	disqualified disqualified disqualified disqualified	,	N/B	N/B	6,669.25 6,946.25* 1,386.00 N/B	,	N/B	N/B
BID C -	Computer Paper	disqualified	disqualified	8,691.20	N/B	5,488.70*	5,240.30	N/B	N/B
BID D -	Envelopes - Unprinted	disqualified	disqualified	3,271.70	N/B	2,523.15	2,523.15	N/B	N/B
	GRAND TOTAL:			26,461.90	14,862.60	37,183.85*	29,336.70	13,937.40	14,575.50
Contrac	Contract Extension		Yes		es	No		No	

CITY OF STERLING HEIGHTS PRINTING, XEROGRAPHIC, COMPUTER PAPER AND ENVELOPES BID TABULATION - JUNE 26, 2001

		Seaman	-Patrick	Unis	ource	Willa	mette	Хр	edx
		VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED	VIRGIN	RECYCLED
BID A -	Xerographic Paper	14,197.50	15,315.00	disqualified	disqualified	14,520.00	14,550.00	13,881.00	N/B
BID B -	Print Shop Paper Part 1 - General Paper Part 2 - 3M Carbonless Paper Part 3 - Carbonless Paper Part 4 - Special Name Brand Paper	2,275.75* 7,870.50 1,041.00 5,576.50*		8,393.40 8,542.70 1,120.40 7,346.10*	,	N/B	N/B	7,264.00* 7,553.75 1,182.50* 18,484.25	
BID C -	Computer Paper	5,987.39*	4,218.30*	9,935.53*	6,117.39	5,454.33	3,670.80	12,148.39*	N/B
BID D -	Envelopes - Unprinted	2,818.25*	N/B	2,497.50	2,753.70	N/B	N/B	2,405.00	N/B
	GRAND TOTAL:	39,766.89*	32,799.80*	37,835.63*	21,692.04*	19,974.33	18,220.80	62,918.89*	N/B
Contract	Contract Extension		?		Yes		Yes		es

NO BID: Lym Tech

Note: All "disqualified" bids would not hold pricing.

ALL SECTIONS:

- * Adjusted by Purchasing
- # Calculated by Purchasing
- ^ Alternate item bid
- @ Custom made item
- ~ Standard packed only

	Gemini I	- orms	Office E	Depot	Paper Ex	press	Savin Corp	ooration
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
3,000,000 sheets, 8½ x 11 20# White Bond - Virgin	4.39/m	13,170.00	4.544/m	13,632.00	4.44/m	13,320.00	4.368/m	13,104.00
3,000,000 sheets, 8½ x 11 20# White Bond - Recycled	N/B	0.00	4.658/m	13,974.00	4.67/m	14,010.00	4.568/m	13,704.00
150,000 sheets, 8½ x 14 20# White Bond - Virgin	6.09/m	913.50	5.780/m	867.00	5.67/m	850.50	5.556/m	833.40
150,000 sheets, 8½ x 14 20# White Bond - Recycled	N/B	0.00	5.924/m	888.60	5.96/m	894.00	5.810/m	871.50
TOTALS:	VIRGIN RECY.	14,083.50 N/B	VIRGIN RECY.	14,499.00 14,862.60		14,170.50 14,904.00		13,937.40 14,575.50

	Seaman I	Patrick	Willam	ette	Xpe	dx
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
3,000,000 sheets, 8½ x 11 20# White Bond - Virgin	4.45/m	13,350.00	4.55/m	13,650.00	4.35/m	13,050.00
3,000,000 sheets, 8½ x 11 20# White Bond - Recycled	4.80/m	14,400.00	4.85/m	14,550.00	N/B	0.00
150,000 sheets, 8½ x 14 20# White Bond - Virgin	5.65/m	847.50	5.80/m	870.00	5.54/m	831.00
150,000 sheets, 8½ x 14 20# White Bond - Recycled	6.10/m	915.00	N/B	0.00	N/B	0.00
TOTALS:	VIRGIN RECY.	,		14,520.00 14,550.00	1	13,881.00 N/B

BID "B" - PRINT SHOP PAPER PART 1 - GENERAL PAPER

	Paper Ex	• • • • • • • • • • • • • • • • • • • •		Patrick	Uniso	urce	Xpe	dx
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
150,000 sheets, Offset 8½ x 11 - 60# Vellum Finish - White - Grade 1 - Virgin	5.97/m	895.50	N/B	0.00	8.44/m	1,266.00	6.55/m	982.50
150,000 sheets, Offset 8½ x 11 - 60# Vellum Finish - White - Grade 1 - Recycled	5.97/m	895.50	7.40/m	1,110.00	8.44/m	1,266.00	N/B	0.00
15,000 sheets, Offset 8½ x 14 - 60# Vellum Finish - White - Grade 1 - Virgin	7.59/m	113.85	N/B	0.00	10.76/m	161.40	8.10/m	121.50
15,000 sheets, Offset 8½ x 14 - 60# Vellum Finish - White - Grade 1 - Recycled	7.59/m	113.85	9.40/m	141.00	10.76/m	161.40	N/B	0.00
75,000 sheets, Offset 8½ x 11 - 60# Vellum Finish - Colors - Grade 1 - Virgin	7.08/m	531.00	N/B	0.00	8.44/m	633.00	7.54/m	565.50
75,000 sheets, Offset 8½ x 11 - 60# Vellum Finish - Colors - Grade 1 - Recycled	7.08/m	531.00	7.50/m	562.50*	8.44/m	633.00	N/B	0.00
15,000 sheets, Offset 8½ x 14 - 60# Vellum Finish - Colors - Grade 1 - Virgin	9.00/m	135.00	N/B	0.00	10.76/m	161.40	10.25/m	153.75*
15,000 sheets, Offset 8½ x 14 - 60# Vellum Finish - Colors - Grade 1 - Recycled	9.00/m	135.00	9.55/m	143.25	10.76/m	161.40	N/B	0.00
45,000 sheets, Offset 11 x 17 - 60# Vellum Finish - White - Grade 1 - Virgin	11.94/m	537.30	N/B	0.00	16.91/m	760.95	12.75/m	573.75
45,000 sheets, Offset 11 x 17 - 60# Vellum Finish - White - Grade 1 - Recycled	11.94/m	537.30	14.75/m	663.75	16.91/m	760.95	N/B	0.00
100,000 sheets, Offset 11 x 17 - 60# Vellum Finish - Colors - Grade 1 - Virgin	14.16/m	1,416.00	N/B	0.00	16.91/m	1,691.00	15.10/m	1,510.00
100,000 sheets, Offset 11 x 17 - 60# Vellum Finish - Colors - Grade 1 - Recycled	14.16/m	1,416.00	15.05/m	1,505.00	16.91/m	1,691.00	N/B	0.00
75,000 sheets, Offset 8½ x 11 - 70# Opaque Smooth - White - Grade 1 - Virgin	6.96/m	522.00	N/B	0.00	9.94/m	745.50	7.00/m	525.00
75,000 sheets, Offset 8½ x 11 - 70# Opaque Smooth - White - Grade 1 - Recycled	6.96/m	522.00	8.60/m	645.00	10.02/m^	751.50	N/B	0.00

BID "B" - PRINT SHOP PAPER PART 1 - GENERAL PAPER

	Paper Ex	press	Seaman-	Patrick	Uniso	urce	Xpe	dx
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
10,000 sheets, Offset 8½ x 14 - 70# Opaque Smooth - White - Grade 1 - Virgin	8.87/m	88.70	N/B	0.00	12.66/m	126.60	14.25/m	142.50
10,000 sheets, Offset 8½ x 14 - 70# Opaque Smooth - White - Grade 1 - Recycled	8.87/m	88.70	10.95/m	109.50	12.76/m^	127.60*	N/B	0.00
20,000 sheets, Offset 11 x 17 - 70# Opaque Smooth - White - Grade 1 - Virgin	13.92/m	278.40	N/B	0.00	19.87/m	397.40	15.75/m	315.00
20,000 sheets, Offset 11 x 17 - 70# Opaque Smooth - White - Grade 1 - Recycled	13.92/m	278.40	17.20/m	344.00	20.03/m^	400.60	N/B	0.00
75,000 sheets, Offset 8½ x 11 - 67# Vellum Bristol - White - Virgin	10.90/m	817.50	12.25/m	918.75*	12.96/m	972.00	13.00/m	975.00
75,000 sheets, Offset 8½ x 11 - 67# Vellum Bristol - White - Recycled	10.90/m	817.50	N/B	0.00	N/B	0.00	N/B	0.00
20,000 sheets, Offset 8½ x 11 - 67# Vellum Bristol - Colors - Virgin	13.15/m	263.00	12.50/m	250.00	13.84/m	276.80	13.25/m	265.00
20,000 sheets, Offset 8½ x 11 - 67# Vellum Bristol - Colors - Recycled	13.15/m	263.00	N/B	0.00	N/B	0.00	N/B	0.00
25,000 sheets, Offset 11 x 17 - 67# Vellum Bristol - White - Virgin	21.80/m	545.00	24.40/m	610.00	25.91/m	647.75	24.50/m	612.50
25,000 sheets, Offset 11 x 17 - 67# Vellum Bristol - White - Recycled	21.80/m	545.00	N/B	0.00	N/B	0.00	N/B	0.00
20,000 sheets, Offset 11 x 17 - 67# Vellum Bristol - Colors - Virgin	26.30/m	526.00	24.85/m	497.00	27.68/m	553.60	26.10/m	522.00
20,000 sheets, Offset 11 x 17 - 67# Vellum Bristol - Colors - Recycled	26.30/m	526.00	N/B	0.00	N/B	0.00	N/B	0.00
TOTALS:	VIRGIN RECY.	GIN 6,669.25 VIRGI		2,275.75* 5,224.00*		8,393.40 5,953.45*		7,264.00* N/B

DISQUALIFIED: Millcraft of MI

NO BID: Bye-Mo'r Inc., Dale Office Plus, Forms Trac, Gemini Forms, Lym Tech, Office Depot, Savin Corporation, Willamette Industries

BID "B" - PRINT SHOP PAPER PART 2 - CARBONLESS PAPER (BLACK PRINT ONLY) NCR SUPERIOR, 3M UNI-FORM, #20, MEAD EXCEL OR APPROVED EQUAL

	Paper E	xpress	Seaman-	Patrick	Uniso	urce	Хре	dx
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
100,000 sheets, 8½ x 11 - 2 Part Carbonless - Precollated - Virgin	10.15/m	1,015.00	11.70/m	1,170.00	12.68/m	1,268.00	11.25/m	1,125.00
250,000 sheets, 8½ x 11 - 3 Part Carbonless - Precollated - Virgin	11.45/m	2,862.50	13.15/m	3,287.50	14.29/m	3,572.50	12.50/m	3,125.00
50,000 sheets, 8½ x 11 - 4 Part Carbonless - Precollated - Virgin	12.25/m	612.50	14.05/m	702.50	15.26/m	763.00	13.25/m	662.50
5,000 sheets, 8½ x 11 - 5 Part Carbonless - Precollated - Virgin	12.65/m	63.25	14.50/m	72.50	15.80/m	79.00	17.25/m	86.25
30,000 sheets, 8½ x 14 - 2 Part Carbonless - Precollated - Virgin	12.95/m	388.50	14.85/m	445.50	16.15/m	484.50	14.00/m	420.00
75,000 sheets, 8½ x 14 - 3 Part Carbonless - Precollated - Virgin	14.60/m	1,095.00	16.70/m	1,252.50	18.18/m	1,363.50	15.75/m	1,181.25
25,000 sheets, 8½ x 14 - 4 Part Carbonless - Precollated - Virgin	15.60/m	390.00	17.90/m	447.50	19.44/m	486.00	16.75/m	418.75
10,000 sheets, 8 x 11 - CF Manilla Tag - Virgin	32.00/m	320.00	29.85/m	298.50	32.62/m	326.20	35.00/m	350.00
10 quarts Adhesive Glue for Above Paper	19.95/qt	199.50#	19.40/qt	194.00	20.00/qt	200.00	18.50/qt	185.00
TOTALS:	VIRGIN	6,946.25*	VIRGIN	7,870.50	VIRGIN	8,542.70	VIRGIN	7,553.75

DISQUALIFIED: Millcraft of MI

NO BID: Bye-Mo'r Inc., Dale Office Plus, Forms Trac, Gemini Forms, Lym Tech, Office Depot, Savin Corporation, Willamette Industries

BID "B" - PRINT SHOP PAPER PART 3 - CARBONLESS PAPER

	Paper Ex	press	Seaman-	Patrick	Uniso	urce	Xped	dx
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
50,000 sheets, 8½ x 11 - 2 Part Green/White - Precollated - Virgin	19.15/m	957.50	11.70/m	585.00	13.00/m@	650.00	14.95/m	747.50
20,000 sheets, 8½ x 11 - 3 Part All White - Precollated - Virgin	11.45/m	229.00	13.10/m	262.00	13.52/m	270.40	12.50/m	250.00
10 quarts Mead Fan-A-Part Adhesive	19.95/qt^	199.50	N/B	0.00	N/B	0.00	18.50/qt	185.00
10 quarts NCR Fan-A-Part Adhesive	19.95/qt ^	199.50	19.40/qt	194.00	20.00/qt	200.00	18.50/qt	185.00
TOTALS:	VIRGIN	1,386.00	VIRGIN	1,041.00	VIRGIN	1,120.40	VIRGIN	1,182.50*

DISQUALIFIED: Millcraft of MI

NO BID: Bye-Mo'r Inc., Dale Office Plus, Forms Trac, Gemini Forms, Lym Tech, Office Depot, Savin Corporation, Willamette Industries

NOTE: 10 quarts of glue total will be awarded, not both types

BID "B" - PRINT SHOP PAPER PART 4 - SPECIAL BRAND NAME PAPER (NO SUBSTITUTES)

	Seaman-P	atrick	Unisou	ırce	Xpedx	
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
75,000 sheets, 8½ x 11 - Brite White - Fox River - Circa Script Wove - 24# - Virgin	N/B	0.00	N/B	0.00	23.00/m	1,725.00
75,000 sheets, 8½ x 11 - Brite White - Fox River - Circa Script Wove - 24# - Recycled	21.00/m	1,575.00	N/B	0.00	N/B	0.00
15,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - White - Virgin	N/B	0.00	153.10/m	2,296.50	169.00/m	2,535.00
15,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - White - Recycled	185.40/m	2,781.00	153.10/m	2,296.50	N/B	0.00
15,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - Colors - Light - Virgin	147.00/m	2,205.00	167.50/m	2,512.50	194.00/m	2,910.00
15,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - Colors - Light - Recycled	N/B	0.00	154.40/m	2,316.00	N/B	0.00
100,000 sheets, 8½ x 11 - Linenweave Text - 70# - White - Virgin	N/B	0.00	N/B	0.00	17.10/m	1,710.00
100,000 sheets, 8½ x 11 - Linenweave Text - 70# - White - Recycled	N/B	0.00	N/B	0.00	N/B	0.00
100,000 sheets, 11 x 17 - Linenweave Text - 70# - White - Virgin	N/B	0.00	N/B	0.00	35.75/m	3,575.00
100,000 sheets, 11 x 17 - Linenweave Text - 70# - White - Recycled	N/B	0.00	N/B	0.00	N/B	0.00
30,000 sheets, 8½ x 11 - Royal Fiber Text - 70# - White - Virgin	N/B	0.00	N/B	0.00	16.20/m	486.00
30,000 sheets, 8½ x 11 - Royal Fiber Text - 70# - White - Recycled	63.30/m	1,899.00	N/B	0.00	N/B	0.00
30,000 sheets, 11 x 17 - Royal Fiber Text - 70# - White - Virgin	N/B	0.00	N/B	0.00	33.50/m	1,005.00

BID "B" - PRINT SHOP PAPER PART 4 - SPECIAL BRAND NAME PAPER (NO SUBSTITUTES)

	Seaman-P	atrick	Uniso	urce	Xpe	xk
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
30,000 sheets, 11 x 17 - Royal Fiber Text - 70# - White - Recycled	35.60/m	1,068.00*	N/B	0.00	N/B	0.00
30,000 sheets, 11 x 17 - Royal Fiber Text - 70# - Colors - Virgin	N/B	0.00	N/B	0.00	33.50/m	1,005.00
30,000 sheets, 11 x 17 - Royal Fiber Text - 70# - Colors - Recycled	35.60/m	1,068.00*	N/B	0.00	N/B	0.00
10,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - Flourescent Colors - Virgin	214.50/m	2,145.00	154.40/m	1,544.00	216.00/m	2,160.00
10,000 sheets, 8½ x 11 - Fasson Crack & Peel - Vellum - Flourescent Colors - Recycled	N/B	0.00	225.50/m	2,255.00	N/B	0.00
25,000 sheets, 8½ x 11 - Astro-Bright Vellum Offset - 60# - All Colors - Virgin	10.80/m	270.00#	N/B	0.00	12.10/m	302.50
25,000 sheets, 8½ x 11 - Astro-Bright Vellum Offset - 60# - All Colors - Recycled	10.80/m	270.00	N/B	0.00	N/B	0.00
5,000 sheets, 8½ x 11 - Astro-Bright Vellum Offset - 65# - Cover - Virgin	21.35/m	106.75#	N/B	0.00	23.50/m	117.50
5,000 sheets, 8½ x 11 - Astro-Bright Vellum Offset - 65# - Cover - Recycled	21.35/m	106.75*	N/B	0.00	N/B	0.00
20,000 sheets, 11 x 17 - Astro-Bright Vellum Offset - 60# - All Colors - Virgin	21.55/m	431.00	25.19/m^	503.80	24.00/m	480.00
20,000 sheets, 11 x 17 - Astro-Bright Vellum Offset - 60# - All Colors - Recycled	21.55/m	431.00	N/B	0.00	N/B	0.00
5,000 sheets, 11 x 17 - Astro-Bright Vellum Offset - 65# - Cover - Virgin	42.65/m	213.25	49.80/m^	249.00	47.25/m	236.25
5,000 sheets, 11 x 17 - Astro-Bright Vellum Offset - 65# - Cover - Recycled	42.65/m	213.25	N/B	0.00	N/B	0.00

BID "B" - PRINT SHOP PAPER PART 4 - SPECIAL BRAND NAME PAPER (NO SUBSTITUTES)

	Seaman-P	atrick	Unisou	rce	Xpedx -		
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	
15,000 sheets, 8½ x 14 - Astro-Bright Vellum Offset - 60# - All Colors - Virgin	13.70/m	205.50	16.02/m^	240.30	15.80/m	237.00	
15,000 sheets, 8½ x 14 - Astro-Bright Vellum Offset - 60# - All Colors - Recycled	13.70/m	205.50	N/B	0.00	N/B	0.00	
TOTALS:	VIRGIN RECY.	5,576.50* 8,042.50*	1	7,346.10* 6,867.50#		18,484.25 N/B	

DISQUALIFIED: Millcraft of MI

NO BID: Bye-Mo'r Inc., Dale Office Plus, Forms Trac, Gemini Forms, Lym Tech, Office Depot, Paper Express, Savin Corporation, Willamette Industries

BID "C" - COMPUTER PAPER

	Dale O	ffice	Forms	Trac	Gemini	Forms	Office I	Depot	Paper E	xpress
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
372,000 sheets, 14% x 11 - 1 Part - 100% Sulphite Bond - ½" Green Bar - 20# - Virgin	N/B	0.00	9.50/m	3,534.00	9.50/m	3,534.00	10.60/m	3,943.20	9.05/m	3,366.60
372,000 sheets, 14% x 11 - 1 Part - 100% Sulphite Bond - ½" Green Bar - 20# - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	9.05/m	3,366.60
150,000 sheets, 9½ x 11 - 1 Part - 20# Bond White - Blank - Virgin	N/B	0.00	7.62/m	1,143.00	7.20/m	1,080.00	7.36/m	1,104.00	5.90/m	885.00
150,000 sheets, 9½ x 11 - 1 Part - 20# Bond White - Blank - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	5.90/m	885.00
32,000 sheets, 9½ x 11 - 2 Part - Carbonless NCR - Premium White - Blank - Virgin	N/B	0.00	21.20/m	678.40	15.40/m	492.80	18.58/m	594.56	16.40/m	524.80
32,000 sheets, 9½ x 11 - 2 Part - Carbonless NCR - Premium White - Blank - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	16.40/m	524.80
15,750 sheets, 9½ x 11 - 3 Part - Carbonless NCR - Premium White - Blank - Virgin	N/B	0.00	32.50/m	511.88*	27.80/m	437.85*	35.52/m	559.44	27.20/m	428.40
15,750 sheets, 9½ x 11 - 3 Part - Carbonless NCR - Premium White - Blank - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	27.20/m	428.40
10,000 sheets, 9½ x 5½ - 1 Part - 20# Bond - White - Blank - Virgin	N/B	0.00	4.95/m	49.50*	4.10/m	41.00*	5.76/m	57.60	3.55/m	35.50
10,000 sheets, 9½ x 5½ - 1 Part - 20# Bond - White - Blank - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	3.55/m	35.50
120,000 Pressure Sensitive Labels 4 UP - 15/16 x 3½ - White	1.99/m	238.80	2.39/m	286.80	2.54/m	304.80	3.31/m	397.20	2.07/m	248.40*
480 rolls, 8 7/16 x 4½ - 2 Part Lein Paper Carbonless - White & Canary - 12 rls/cs	N/B	0.00	4.24/rl	2,035.20	N/B	0.00	4.24/rl	2,035.20	N/B	0.00
TOTALS:	VIRGIN RECY.		VIRGIN RECY.	8,238.78* N/B	VIRGIN RECY.	5,890.45* N/B	VIRGIN RECY.	8,691.20 N/B	VIRGIN RECY.	5,488.70* 5,240.30

DISQUALIFIED: Millcraft of MI

NO BID: Bye-Mo'r Inc., Lym Tech, Savin Corporation

	Seaman-	Patrick	Uniso	urce	Willan	nette	Xpedx		
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	
372,000 sheets, 14% x 11 - 1 Part - 100% Sulphite Bond - ½" Green Bar - 20# - Virgin	10.30/m	3,831.60	10.20/m	3,794.40	9.35/m	3,478.20	11.35/m	4,222.20*	
372,000 sheets, 14% x 11 - 1 Part - 100% Sulphite Bond - ½" Green Bar - 20# - Recycled	8.90/m	3,310.80	11.02/m	4,099.44	7.65/m^	2,845.80	N/B	0.00	
150,000 sheets, 9½ x 11 - 1 Part - 20# Bond White - Blank - Virgin	6.65/m	997.50*	6.54/m	981.00	6.12/m	918.00	6.35/m	952.50	
150,000 sheets, 9½ x 11 - 1 Part - 20# Bond White - Blank - Recycled	6.05/m	907.50*	7.06/m	1,059.00	5.50/m	825.00	N/B	0.00	
32,000 sheets, 9½ x 11 - 2 Part - Carbonless NCR - Premium White - Blank - Virgin	19.95/m	638.40*	15.91/m	509.12	17.44/m	558.08	10.00/m	320.00	
32,000 sheets, 9½ x 11 - 2 Part - Carbonless NCR - Premium White - Blank - Recycled	N/B	0.00	16.87/m	539.84	N/B	0.00	N/B	0.00	
15,750 sheets, 9½ x 11 - 3 Part - Carbonless NCR - Premium White - Blank - Virgin	30.85/m	485.89*	25.08/m	395.01	29.80/m	469.35	13.25/m	208.69	
15,750 sheets, 9½ x 11 - 3 Part - Carbonless NCR - Premium White - Blank - Recycled	N/B	0.00	26.61/m	419.11	N/B	0.00	N/B	0.00	
10,000 sheets, 9½ x 5½ - 1 Part - 20# Bond - White - Blank - Virgin	3.40/m	34.00*	4.16/m	41.60	3.07/m	30.70	6.70/m	67.00	
10,000 sheets, 9½ x 5½ - 1 Part - 20# Bond - White - Blank - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	N/B	0.00	
120,000 Pressure Sensitive Labels 4 UP - 15/16 x 3½ - White	N/B	0.00	3.32/m	398.40*	N/B	0.00	3.15/m	378.00	
480 rolls, 8 7/16 x 4½ - 2 Part Lein Paper Carbonless - White & Canary - 12 rls/cs	N/B	0.00	7.95/rl	3,816.00	N/B	0.00	12.50/rl	6,000.00	
TOTALS:	VIRGIN RECY.	5,987.39* 4,218.30*		9,935.53* 6,117.39	ŧ	5,454.33 3,670.80		12,148.39* N/B	

DISQUALIFIED: Millcraft of MI NO BID: Bye-Mo'r Inc., Lym Tech, Savin Corporation

	Bye-Mo'	'r Inc.	Dale O	ffice	Office D	epot~	epot~ Paper Exp		
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL	
75,000 #10 Business Envelopes 24# - White - Virgin	10.59/m	794.25	10.70/m	802.50	9.96/m	747.00	11.03/m	827.25	
75,000 #10 Business Envelopes 24# - White - Recycled	17.70/m	1,327.50	16.59/m#	1,244.25	N/B	0.00	11.03/m	827.25	
75,000 #10 Window Business Envelopes - 24# - White - Virgin	13.40/m	1,005.00	16.39/m#	1,229.25	17.62/m	1,321.50	13.55/m	1,016.25	
75,000 #10 Window Business Envelopes - 24# - White - Recycled	24.44/m	1,833.00	22.89/m#	1,716.75	N/B	0.00	13.55/m	1,016.25	
5,000 #6¾ Window Envelopes #24 - White - Virgin	16.56/m	82.80	12.28/m#	61.40	12.72/m	63.60	14.60/m	73.00	
5,000 #6¾ Window Envelopes #24 - White - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	14.60/m	73.00	
55,000 #9 Envelopes - 24# White - Virgin	15.80/m	869.00	15.82/m#	870.10	20.72/m	1,139.60	11.03/m	606.65	
55,000 #9 Envelopes - 24# White - Recycled	N/B	0.00	N/B	0.00	N/B	0.00	11.03/m	606.65	
TOTALS:	VIRGIN RECY.	2,751.05 3,160.50		2,963.25 2,961.00		3,271.70 N/B	VIRGIN RECY.	2,523.15 2,523.15	

	Seaman F	Patrick	Unisou	Хрес	łx	
DESCRIPTION	UNIT	TOTAL	UNIT	TOTAL	UNIT	TOTAL
75,000 #10 Business Envelopes 24# - White - Virgin	12.50/m	937.50	11.00/m	825.00	10.50/m	787.50
75,000 #10 Business Envelopes 24# - White - Recycled	N/B	0.00	12.22/m	916.50	N/B	0.00
75,000 #10 Window Business Envelopes - 24# - White - Virgin	14.95/m	1,121.25	13.50/m	1,012.50	12.95/m	971.25
75,000 #10 Window Business Envelopes - 24# - White - Recycled	N/B	0.00	14.72/m	1,104.00	N/B	0.00
5,000 #6¾ Window Envelopes #24 - White - Virgin	14.40/m	72.00	11.00/m	55.00	13.75/m	68.75
5,000 #6¾ Window Envelopes #24 - White - Recycled	N/B	0.00	12.22/m	61.10	N/B	0.00
55,000 #9 Envelopes - 24# White - Virgin	12.50/m	687.50*	11.00/m	605.00	10.50/m	577.50
55,000 #9 Envelopes - 24# White - Recycled	N/B	0.00	12.22/m	672.10	N/B	0.00
TOTALS:	VIRGIN RECY.	2,818.25* N/B	VIRGIN RECY.	2,497.50 2,753.70		2,405.00 N/B

August 30, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

Jeanette Bennett, Purchasing Director William R. Need, Public Works Director

Subject: Standard Purchasing Resolution 4: Oakland County Road Commission

- 4-Ton Hot Asphalt Hauler

RECOMMENDATION

The Public Works Department requests approval and authorization to purchase One (1) Trailer Mounted 4 Ton Hot Asphalt Hauler at the price of \$13,500.00 from Spaulding MFG Inc. based upon a bid prepared and awarded through the Oakland County Road Commission.

BUDGET

Funds are available in the Streets Equipment account number 499.7978.010.

SPAULDING MANUFACTURING INC. 5366 EAST STREET SAGINAW, MI 48601 1-989-777-4550 1-989-777-7430

Send to: City of Troy	From: AL EYRE							
	3 4 4 6 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6							
Attention: Tom Rosewarne	Date: 8-17-01							
Office location: Troy, MI	Office location: Saginaw							
Fax number: 1-248-524-1514	Phone number: 1-989-777-4550							
Total pages, including cover: One								
Comments:								
of \$13,500. This is the same price that we	wing "RMV" hot patcher eauipment for a price charged Oakland County on their P.O. number ou a copy. Please call me if you have any							
Ea	puipment truction, insulated, with metal insulated loading							
Price of equipment: \$13,500.00								
Terms: Net 30 days FOB: Shipping point Delivery: 8 weeks ARO								
AV Eyre, Spaulding Manufacturing								

Bid typed on 11-30-99

£ 002/002

ADDRESS PHONE NUMBER FAX NUMBER SIGNED TERMS FOB			5386 East Road				12325 River Road North Branch, MN 55056 851-674-4491 851-874-4221 Bruce Konrad			Burke Equipment Co. 30000 Mound Road PO Box 8010				
			517-777-4550 517-777-7430 Linda Kwapis Net 45 Days Price Includes Delivery 30-45 Days			Sterling Heights, MI 48390 810-939-4400 810-939-3112 David Carrrio Net 45 Days Oskland County 45 Days								
DESCRIPTION	APPROX.	UNIT OF	Į .	UNIT PRICE		XTENDED AMOUNT		UNIT PRICE	_	XTENDED AMOUNT		UNIT PRICE		XTENDED AMOUNT
TRAILER MOUNTED 4 TON HOT ASPHALT HAULER	3	EA	<u> </u>	3,500.00	\$	13,500.00	S	13,915.00		13,915.00	\$	15,489.00	\$	15,489.00
TOTAL NET BID PRI	ČE;				\$	13,590.00	L		\$	13,915.60			\$	15,489.00
MAKE & MODEL		ak and Again and against a great an ann an Again an Agai	K	IMV "Hot F	Patc	ner" / ATD	April 100 Mark Dents	Stepp / t	SPH	-3.0-D	dh Again	Aeriol / f	HP	4.HD

^{*}Used throughout document to indicate a partinumber/ description/quantity was changed by Vendor. Please refer to Vendor's bid form for actual change.

R43510 Ship From	SPAULDII 5366 EAS SAGINAW	IG MFG IN T ROAD	ROAD COMMISSION FOR Purchase Receiver Print C) hip To	District 6 2420 Por		or Dakland Co	Date - 5/15/00		Date Time Page Receiver Supplier	- 5/15/0 - 17:06: - 1 7386 101310	- OP 000
Order Date		so	iler der Taken By L. KWAPIS							and	Orden	ed By LGA	BERTY
NOVEM	BER 3D, 19 SOLUTION 9, 2000	99 OF THE R	YOUR BID DATED: COC BOARD DATED: Description		Descri Line	•	UW.	Ordered	Unit Cost	Extended Price)	Line	Ореп	Rec'd
2190003.97	7600	00014159	RMV HOT PATCHER	4TD			EA	1.00	13,500.0000	13,500.00	1.000	1.01) _
										13,500.00			

Received By: Pelly GRANT Data Received: 5/9/00

08/29/01

WAY 1 8 5000

INVOICE

SPAULDING MFG,.INC.

YC. Invoice No.

3741

5386 EAST ROAD SAGINAW, MICHIGAN 48601 517-777-4650 fex 517-777-4648

Name Address	Oakland County Road	Commission		1 1	Date	5/11/00
City		STATE MI	Zip 48328	1 1	Order No. Shipper No.	7386-000-0P 20-1701
Phone			Practical Nation	, ,	Terms:	Net 30
Qty	Foliation against appropriate to 1 to 100 to 1	Description			Unit Price	TOTAL
	S/N T4D-2503-119				\$13,500.00	\$13,500.0
	Tires-9:00x14.5, pintley auto temp control, dis s electric spark ignition, 7 brakes, dico model 20, gauge, apare tire & rim,	ystem, VVR 16 prong berg, 6 dexter 7000# 4" platform ir	006-100-350, 4 fon unit, surgi axl a , 50-550 te i beck, battery i	mp pack		
	(recharge off truck), 20 metal operator platform 6 manuals	, solvent tank,	orange paint	d		
		,	PATCHER		- Application of the state of t	
500						
Re	YOU MAS	NEW	,		The second secon	
		Bail				
	yment Details	-	·		SubTotal	\$13,500.00
6	Cash Check			Shipping Taxes	y & Handling State	**************************************
	Credit Card		ł		TOTAL	\$13,500.00
0 CC#	Expires			Office	Use Only	ر د د د د د د د د د د د د د د د د د د د

SPAULDING MFG., INC. HAS REPLACEMENT PARTS

September 4, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Mary Redden, Office Coordinator

SUBJECT: Information Requested Pertaining to Membership in

The United States Conference of Mayors

Attached is information on the United States Conference of Mayors' membership benefits, a list of their member cities from Michigan, and a department-by-department schedule of the City's memberships with professional associations. Also included is the invoice for annual dues to the United States Conference of Mayors.

MR/mr\Mary\2001\To M&CC Re US Conf of Mayors Invoice



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST WASHINGTON, D.C. 20006 TELEPHONE (202) 293-7330 FAX (202) 293-2352 TDD (202) 293-9445 URL: www. usmayors.org/uscm

The United States Conference of Mayors Membership Benefits

- Best Practices Center Central clearinghouse for disseminating the best practices of local governments throughout the nation.
- Legislative Advocacy -- Representation of municipal interest before Congress and the Administration in Washington, D.C.
- Conferences Reduced registration fee for the Annual Conference of Mayors Meeting, the Winter Meeting in Washington, D.C and various regional meetings.
- US MAYOR Newspaper US MAYOR is the premier newspaper for nation's Mayors. It provides up-to-date information on what is happening in Washington, D. C. – proposed legislation, new regulations, committee hearings, and reports on the status and progress of bills – and in cities around the nation. Each member mayor receives a complimentary copy.
- Deferred Compensation Program A partnership of USCM and Nationwide Retirement Solutions, provides planning programs for municipal employees looking ahead to retirement.
- Cooperative Purchasing Alliance A partnership with USCM and NACo, provides cities and counties the opportunity to purchase quality goods and products at discounted prices.
- USCM Web Site -- Unlimited access to USCM website, which was named as a "Hot Site" by USA Today newspaper for the past two years. (www.usmayors.org/uscm)
- USCM Publications Complimentary copy of wide range of publications including, "Best practices", case studies, guidebooks, and research reports.



MISSION AND ORGANIZATION

The United States Conference of Mayors is the official nonpartisan organization of cities with populations of 30,000 or more. There are about 1,050 such cities in the country today. Each city is represented in the Conference by its chief elected official, the Mayor.

In 1932, when 14 million people were unemployed, when lines stretched for blocks in front of soup kitchens, when homeowners were unable to pay taxes, when veterans were selling apples on street corners, the nation's cities were close to bankruptcy. Responding to the appeals of Mayors, Congress created a \$300 million federal assistance program for cities; this marked the first time in the nation's history that federal relief was to be provided directly to cities. In a dramatic White House meeting, a committee of three prominent Mayors convinced President Herbert Hoover to sign this desperately needed municipal assistance bill.

A few months later, on the eve of the inauguration of President Franklin D. Roosevelt, in the Mayflower Hotel just a few blocks from the White House, the charter of the Conference of Mayors was written. Today, the principal roles of the Conference of Mayors are to aid the development of effective national urban policy, strengthen federal-city relationships, ensure that federal policy meets urban needs, and provide Mayors with leadership and management tools of value in their cities.

Collectively, Conference of Mayors members speak with a united voice on matters pertaining to organizational policies and goals. Individually, each member Mayor contributes to development of national urban policy through service on one or more of the organization's eight standing committees. Conference policies and programs are developed and guided by an Executive Committee and Advisory Board, and by the standing committees and other special groups formed from time to time to meet changing needs.

Each June, during the annual meeting of the Conference of Mayors, the standing committees recommend positions they believe should be adopted by the organization. At this time every member attending the annual meeting is given the opportunity to discuss and then vote on each policy position. Each city, represented by its Mayor, casts one vote.

The urban policy positions adopted at the annual meeting reflect the collective views of those charged with administrating the nation's cities and, as such, should be known to Congressional leaders and the executive branch of the federal government. Following each annual meeting, therefore, copies of the official policy positions of the Conference are presented to the President and to both Houses of Congress.

In addition to the ongoing work of the Conference's standing committees, Mayors are organized into task forces to examine and act on issues that demand special attention - AIDS, Unfunded Federal Mandates, and Hunger and Homelessness, among them. Through these task forces the Conference historically has assumed a national leadership position, in calling early attention to serious urban problems and in pressing for solutions to them.

The Executive Committee of the Conference is comprised of the President, Vice President, Past Presidents, Chairman of the Advisory Board and 11 Trustees. The Advisory Board, which consists of at least 15 but not more than 23 members, functions in an advisory capacity to the Executive Committee on matters of policy and program. Trustees and Advisory Board members are elected at the annual meeting as vacancies in these bodies occur.

An Executive Director of the Conference of Mayors serves as chief administrative officer and is appointed by the Executive Committee. The Executive Director hires and directs the Conference staff within an annual budget approved by the Executive Committee. Day-to-day lobbying activities for the Conference are carried out by the Executive Director and several Assistant Executive Directors. In addition, a Conference of Mayors research and program staff provides information, analysis, training and technical assistance to Mayors and their staffs on a wide range of city government and urban affairs topics.

under any circumstances conduct the affairs of the Conference so as to incur debts beyond the Conference assets and revenues. The Executive Director shall refrain from that overt partisan political activity which might diminish the effectiveness of the Executive Director in serving the Conference.

SECTION 7. The Nominating Committee. The Nominating Committee shall recommend to the membership at the annual meeting the names of Mayors to fill the positions of Officers, Trustees and Advisory Board members. The Nominating Committee is appointed by the President and serves for one year. The prime consideration of the Nominating Committee shall be service and ability. In addition, the Nominating Committee shall consider race, sex, political affiliation, city size and region. In an effort to make the leadership of the Conference reasonably reflective of its membership, the Nominating Committee shall seek to maintain a balance of these characteristics in its recommendations for nominations for officers of the Conference.

ARTICLE IV MEETINGS and VOTING

SECTION 1. Annual Meetings. The time, place and program of the annual meetings shall be determined by the Executive Committee. The Executive Committee shall meet at least once a year in addition to the annual meeting. Other special meetings of the Conference or of the Committee may be called by the Executive Committee after reasonable notice to the member cities.

SECTION 2. *Voting.* In all transactions requiring the official decision of the organization, each member city shall be entitled to one vote. A proxy is permitted only if the mayor designates in writing a representative from his or her city government to vote on behalf of the member city at the plenary business session of the annual meeting.

SECTION 3. Mail ballot. When during the course of an annual meeting the sense of the meeting cannot be clearly determined, the question shall subsequently be submitted to the entire Conference membership by mail ballot.

SECTION 4. Resolutions. All resolutions presented to the members for consideration shall be first approved by the Resolutions Committee or must be approved for consideration by two-thirds vote of the member cities at the annual meeting. All resolutions presented by member cities for consideration at the annual meeting that call for the expenditure of public funds shall on the face of that resolution denote where possible the projected cost to the taxpayers of that resolution if passed.

ARTICLE V AMENDMENTS

SECTION 1. This Constitution may be amended or repealed by a referendum vote of two-thirds of the member cities by mail ballot.

ARTICLE VI DISSOLUTION

SECTION 1. Upon the dissolution or liquidation of the Corporation, and after payment or provision for payment of all liabilities of the Corporation, any and all remaining assets of the Corporation shall be distributed to Cities that are then Members of the Corporation.



UNITED STATES CONFERENCE OF MAYORS 1620 Eye Street, N.W. Washington, D.C. 20006

THE CONSTITUTION OF THE UNITED STATES CONFERENCE OF MAYORS



ARTICLE I NAME and PURPOSE

ACTION 1. The purpose of this organization, nich shall be known as the United States onference of Mayors, shall be the general improvement of every branch of city government by the folwing means: First, the perpetuation of the onference as an agency for the cooperation of ayors, Managers, and other duly designated reprentatives of cities, in the practical study of all unicipal questions; second, the holding of annual ad other meetings for the discussion of current city oblems; third, the furnishing of information to unicipal officials in order to enable them to better erform their functions; and fourth, the safeguarding the interests, rights and privileges of municipalies as they may be affected by legislation.

ARTICLE II MEMBERSHIP

ECTION 1. Population. Municipal corporations of 0,000 or over in population are eligible for member-nip, and representation of member municipal corporations in the work of the Conference shall be through the Mayor, whether elected by the people or the ouncil. The Executive Committee is authorized to twite the participation of the capital city of any state which does not otherwise qualify for membership.

ECTION 2. The population basis for membership hay be changed by a majority vote of the Executive committee and Advisory Board.

ECTION 3. Fees. The membership and service fees in the Conference shall be fixed on the basis of population by the Executive Committee. Membership and ervice fees, where appropriate, shall be automatically djusted following each national census of population.

ARTICLE III OFFICERS

SECTION 1. Executive Committee. The officers of the Conference shall be the Executive Committee, composed of a President, Vice President, Past Presidents, Chairman of the Advisory Board and thirteen Trustees. They shall be elected by the membership at the annual meeting and hold office until their successors are elected and qualified.

SECTION 2. Advisory Board. The annual meeting shall elect an Advisory Board of not more than twenty seven members, which Board shall function in an advisory capacity to the Executive Committee on all matters of policy and program.

SECTION 3. Vacancies. A. vacancy in the office of President shall be filled by the Vice President. A vacancy in the office of Vice President, Trustee member or Chair of the Advisory Board may be filled by a majority vote of the Executive Committee on an interim basis until the next annual meeting. Vacancies in the offices of President, Vice President, Trustees, or member or Chair of the Advisory Board shall be deemed to exist if the incumbent no longer holds the official position of Mayor or formally resigned his position with the Conference.

SECTION 4. Powers and duties of the Executive Committee. When the members are not assembled for the annual meeting, the Executive Committee shall conduct the affairs of the organization.

- (a) The Executive Committee may adopt new policy between annual meetings so long as the following conditions are met:
 - (1) The committee finds that an emergency condition exists which requires that action be taken as soon as possible;

- (2) The committee has made a reasonable effort to notify the membership and solicit comment:
- (3) The new policy is not inconsistent with any existing policies of the Conference; and
- (4) The new policy is adopted by no less than a majority of the members of the Executive Committee.
- (b) The Executive Committee may by a majority vote refer any matter to the membership of the Conference for an official expression of opinion.
- (c) The Executive Committee may make appointments of an honorary character.

SECTION 5. Powers and duties of the President.

- (a) The President shall preside over all meetings of the Conference and shall be the official spokesperson of the Conference. The President may designate the Vice President or another Mayor to act on his or her behalf.
- (b) The President shall appoint standing committees and designate the chairperson, provided that the establishment of such committees shall be proposed by the President and approved by a majority vote of the Executive Committee.
- (c) The President may also create and appoint special committees which shall report directly to the President at a time designated. The President shall report to the membership at the annual meeting on the progress and recommendations of each and every special committee

SECTION 6. The Executive Director. The Executive Director, who shall be appointed by the Executive Committee, holds office at the pleasure of the Executive Committee and Advisory Board. The Executive Director shall transact the necessary rounne and financial business of the organization as may be determined by the Executive Committee and Advisory Board. The Executive Director may not

Member Cities from the State of Michigan

Dearborn

Detroit

Flint

Garden City

Grand Rapids

Kalamazoo

Lansing

Livonia

Pontiac

Rochester Hills

Saginaw

Southgate

Sterling Heights

Taylor

Westland

Grosse Pointe Woods

Highland Park

ACCOUNTING	
Government Finance Officers Association Michigan Association of CPAs Safety Council for Southeast Michigan Michigan Public Risk Management Association National Public Risk Management Association Michigan Municipal Finance Officers Association	\$485.00 180.00 353.60 30.00 295.00 <u>50.00</u>
Total -	\$1,393.60
AQUATIC CENTER	
Michigan Recreation & Park Association	\$105.00
ASSESSING	
Michigan Assessors Association Oakland County Assessors Association	\$110.00 <u>90.00</u>
Total -	\$200.00
BUILDING INSPECTION	
Mechanical Inspectors Association of Michigan Metropolitan Mechanical Inspectors Association Plumbing Inspection Association of Michigan International Association of Electrical Inspectors Michigan Association of Code Enforcement Officials Tri-County Plumbing Inspectors Association Building Officials & Code Administrators International Oakland County Building Officials Southeastern MI Bldg. Officials & Inspectors Association Reciprocal Electrical Council Incorporated American Association of Code Enforcers	\$195.00 180.00 100.00 120.00 120.00 60.00 277.00 50.00 390.00 100.00 90.00
Total -	\$1,682.00
BOARD OF ZONING APPEALS	
Michigan Society of Planning Officials	\$500.00
CITY ATTORNEY'S OFFICE	
Oakland County Bar Association Michigan Bar Association American Bar Association	\$340.00 1,345.00

International Right of Way Association Legal Assistant Association of Michigan International Municipal PROTEC Michigan Association of Municipal Attorneys	165.00 40.00 640.00 18,221.00 <u>80.00</u>	
Total -	\$20,831.00	
CITY CLERK'S OFFICE		
International Institute of Municipal Clerks National Association of Parliamentarians Michigan Association of Municipal Clerks Oakland County Clerks Association	\$215.00 140.00 80.00 <u>160.00</u>	
Total -	\$595.00	
CITY COUNCIL		
Southeast MI Council of Governments National League of Cities Michigan Association Michigan Municipal League	\$10,720.00 \$4,703.00 100.00 <u>12,014.00</u>	
Total –	\$27,537.00	
Total – <u>CITY MANAGER'S OFFICE</u>	\$27,537.00	
	\$27,537.00 225.00 840.00 50.00 30.00	
CITY MANAGER'S OFFICE Michigan City Management Association International City Managers Association Michigan Municipal Finance Officers Association	225.00 840.00 50.00	
CITY MANAGER'S OFFICE Michigan City Management Association International City Managers Association Michigan Municipal Finance Officers Association Southeastern MI Bldg. Officials & Inspectors Association	225.00 840.00 50.00 <u>30.00</u>	
CITY MANAGER'S OFFICE Michigan City Management Association International City Managers Association Michigan Municipal Finance Officers Association Southeastern MI Bldg. Officials & Inspectors Association Total -	225.00 840.00 50.00 <u>30.00</u>	
CITY MANAGER'S OFFICE Michigan City Management Association International City Managers Association Michigan Municipal Finance Officers Association Southeastern MI Bldg. Officials & Inspectors Association Total - COMMUNITY AFFAIRS City County Communicators Marketing Association National Assoc. of Telecommunications Officers & Advisors Leadership Troy	225.00 840.00 50.00 30.00 \$1,145.00 \$350.00 100.00 75.00	
CITY MANAGER'S OFFICE Michigan City Management Association International City Managers Association Michigan Municipal Finance Officers Association Southeastern MI Bldg. Officials & Inspectors Association Total - COMMUNITY AFFAIRS City County Communicators Marketing Association National Assoc. of Telecommunications Officers & Advisors Leadership Troy Troy Community Coalition	225.00 840.00 50.00 30.00 \$1,145.00 \$350.00 100.00 75.00 15.00	

ENGINEERING

American Congress on Surveying and Mapping	\$647.00	
American Public Works Association	450.00	
Michigan Department of Consumer Industry Services	260.00	
International Erosion Control Association	115.00	
URISA	264.00	
American Water Works Association	99.00	
Southeastern MI Water & Sewer Utilities Association	50.00	
International Right of Way Association	495.00	
Association of State Flood Plain Managers	190.00	
Michigan Society of Professional Engineers	1,015.00	
IMAGIN	75.00	
AUC, Inc. – Michigan's Heavy Construction Association	400.00	
Michigan Association of Code Enforcement Officials	40.00	
National Arbor Day	15.00	
Institute of Transportation Engineers	198.50	
National Association of Flood/Storm Water Managers Agencies	500.00	
Total –	\$4,813.50	
FIRE		
111/2		
International Association of Fire Chiefs	\$150.00	
International Association of Public Communications Officers	60.00	
Southeastern Michigan Fire Chiefs	25.00	
Michigan Association of Fire Chiefs	40.00	
Michigan Chapter – International Association of Arson Investigators	30.00	
Michigan State Firemen's Association	75.00	
National Society of Executive Fire Officers	35.00	
Institute of Fire Engineers	89.00	
Oakland County Fire Chiefs	100.00	
Total -	\$604.00	
FIRE OPERATIONS		
Southeastern Michigan Fire Chiefs	\$25.00	
Michigan Fire Service Instructors	90.00	
Michigan Association of Fire Chiefs	40.00	
National Society of Executive Fire Officers	35.00	
Michigan Emergency Management Association	30.00	
International Association of Fire Chiefs	<u>295.00</u>	
Total -	\$515.00	

FIRE COMPANIES		_
National Volunteer Fire Council	\$50.00	
Michigan Fire Service Instructors	30.00	
Michigan Association of Fire Chiefs	240.00	
International Association of Fire Chiefs	<u>1,305.00</u>	
Total -	\$1,625.00	
FIRE PREVENTION		_
National Fire Protection Association	\$115.00	
Michigan Fire Inspectors Association	315.00	
Metropolitan Detroit Fire Inspectors Association	90.00	
International	60.00	
Southeastern Michigan	25.00	
Michigan Fire Serv	30.00	
Michigan Association	40.00	
Michigan Chapter I	30.00	
International Association	145.00	
SEMBOIA	60.00	
Oakland County Fire Chiefs	80.00	
International Society	<u>75.00</u>	
Total -	\$1,065.00	
HUMAN RESOURCES		_
National Public Employer Labor Relations Association	\$300.00	
International Personnel Management Association	388.00	
Michigan Public Employer Labor Relations Association	<u>75.00</u>	
Total -	\$763.00	
INFORMATION TECHNOLOGY		_
A. W	400 : 00	
Microsoft Technet	\$334.00	
Quest - JD Edwards User Group	225.00	
IMAGIN MICTA Communication Organization	175.00	
MICTA – Communication Organization	<u>75.00</u>	
Total -	\$809.00	

LIBRARY		
American Library Association Michigan Library Consortium Government Documents Round Table of Michigan Public Library Trustees Association of Oakland County	1,515.00 125.00 10.00 <u>30.00</u>	
Total -	\$1,680.00	
LOCAL (STREETS) ADMINISTRATION		
American Public Works Association Southeastern Oakland	\$450.00 <u>10.00</u>	
Total -	\$460.00	
MAJOR (STREETS) ADMINISTRATION		
American Public Works Association International Muni	\$10.00 <u>100.00</u>	
Total -	\$110.00	
MOTOR POOL		
American Public Works Association BidCorp. Com	\$90.00 200.00	
Total -	\$290.00	
MUSEUM BUILDINGS		
American Association for State and Local History Association for Living History, Farm and Agricultural Museums Michigan Museums Association National Trust for Historic Preservation National Association of Interpreters Midwest Registsrars Association American Association of Museums Artist Blacksmiths' Association of North America Historical Society Log Cabin Society	\$203.00 50.00 75.00 65.00 125.00 10.00 250.00 45.00 65.00 10.00	
Total -	\$898.00	

NATURE CENTER		
Association of Nature Center Administrators	\$90.00	
Cornell Laboratory	35.00	
Natural Areas Association	125.00	
National Association of Interpreters	<u>125.00</u>	
Total -	\$375.00	
PARKS ADMINISTRATION		
National Arbor Day	\$30.00	
Professional Lawn Care Association of America	75.00	
National Institute of Parks and Grounds Manage	130.00	
Michigan Association of Senior Centers	65.00	
International Society of Arborical Culture	105.00	
National Recreation and Parks Association	815.00	
National Council on Aging	170.00	
Michigan Recreation and Parks Association	350.00	
Northwest Parks and Recreation Association	110.00	
Michigan Turf Grass Foundation	25.00	
Michigan Forestry and Parks Association	60.00	
Sports Turf Management Association	120.00	
Tatal	¢2.055.00	
Total -	\$2,055.00	
Total - PLANNING	\$2,055.00	_
PLANNING		
PLANNING Michigan Society of Planning	\$375.00	
PLANNING Michigan Society of Planning American Planning Association	\$375.00 812.00	
PLANNING Michigan Society of Planning	\$375.00	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute	\$375.00 812.00 445.00 <u>230.00</u>	_
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total -	\$375.00 812.00 445.00	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers	\$375.00 812.00 445.00 <u>230.00</u>	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total -	\$375.00 812.00 445.00 <u>230.00</u>	_
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION	\$375.00 812.00 445.00 230.00 \$1,862.00	
Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION Michigan Society of Planning POLICE	\$375.00 812.00 445.00 230.00 \$1,862.00	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION Michigan Society of Planning POLICE False Alarm Reduction Association	\$375.00 812.00 445.00 230.00 \$1,862.00 \$170.00	_
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION Michigan Society of Planning POLICE False Alarm Reduction Association High Technology Crime Investigation Association	\$375.00 812.00 445.00 230.00 \$1,862.00 \$170.00 \$100.00 160.00	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION Michigan Society of Planning POLICE False Alarm Reduction Association	\$375.00 812.00 445.00 230.00 \$1,862.00 \$170.00 \$100.00 160.00 135.00	
PLANNING Michigan Society of Planning American Planning Association Urban Land Institute American Society of Civil Engineers Total - PLANNING COMMISSION Michigan Society of Planning POLICE False Alarm Reduction Association High Technology Crime Investigation Association American Society of Law Enforcement	\$375.00 812.00 445.00 230.00 \$1,862.00 \$170.00 \$100.00 160.00	

APCO International Crime Prevention Association International Association of Chiefs of Police NET/LOGIN International Association of Chiefs of Police – Washington DC Michigan Association of Chiefs of Police North American Police Work Dog Association LERMA, Inc. Oakland County Chiefs of Police Association Traffic Institute Alumni Association Juvenile Officers Association of Michigan	510.00 30.00 1,100.00 400.00 315.00 245.00 25.00 20.00 25.00 35.00	
Total -	\$4,390.00	
PURCHASING		
National Institute of Governmental Purchasing Michigan Public Purchasing Officers Association	\$300.00 <u>150.00</u>	
Total -	\$450.00	
REAL ESTATE & DEVELOPMENT		
State of Michigan Urban Land Institute MDFA International Right of Way Association BBRSOAR Automation Alley	\$36.00 170.00 200.00 540.00 280.00 250.00	
Total -	\$1,476.00	
SYLVAN GLEN GREENS		
Golf Course Superintendents Association of America Greater Detroit Golf Course Superintendents Association Michigan Turf Grass Foundation Golfers Association of Michigan U.S. Golfers Association	\$210.00 100.00 140.00 360.00 100.00	
Total -	\$910.00	
SUMMER PROGRAM		
Michigan Recreation and Parks Association	\$105.00	

TRAFFIC ENGINEERING	
ITS Michigan CHI Epsilon ITE Michigan Section Traffic Improvement	\$300.00 22.00 16.50 <u>22,300.00</u>
Total -	\$22,638.50
TREASURER'S OFFICE	
Payments Authority Oakland County Treasurers Michigan Municipal	\$300.00 20.00 <u>35.00</u>
Total -	\$355.00
Total - WATER ADMINISTRATION	\$355.00
	\$10.00 194.00 75.00 <u>67.00</u>
WATER ADMINISTRATION Southeastern Oakland American Water Works Association Southeastern MI Water & Sewer Utilities Association	\$10.00 194.00 75.00
WATER ADMINISTRATION Southeastern Oakland American Water Works Association Southeastern MI Water & Sewer Utilities Association MBPA – Michigan	\$10.00 194.00 75.00 <u>67.00</u>



THE UNITED STATES CONFERENCE OF MAYORS

1620 EYE STREET, NORTHWEST WASHINGTON, D.C. 20006 (202) 293-7330

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The Honorable Matt Pryor Mayor of Troy 500 W. Big Beaver Troy, MI 48084

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BOARDS AND COMMITTEES VACANCIES

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

Advisory Committee for Persons with Disabilities

Appointed by Council (9) - 3 years Term Expires 7-01-2002 (Student) Term Expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS	TERM EXPIRES
689-9098	Mary Ann Butler (Alternate)	1060 Glaser, 98	Nov. 1, 2003
649-3542	Sharon M. Connelly	1638 Martinique, 84	Nov. 1, 2002
248-816-1900B			
248-526-3088B	Philip D'Anna	5149 Westmoreland, 98	Nov. 1, 2001
689-1457	Angela Done	2304 Academy, 83	Nov. 1, 2002
740-8983	Nancy Johnson	1461 Lamb, 98	Nov. 1, 2003
813-9575	Leonard Bertin	5353 Rochester, 98	Nov. 1, 2002
258-2500B			
641-7764	Dick Kuschinsky	5968 Whitfield, 98	Nov. 1, 2001
313-496-2686B			
680-1233	Theodora House	301 Belhaven, 98	Nov. 1, 2003
952-0484	Jerry Ong (Student)	1903 Fleetwood, 98	July 1, 2001
528-3133	Nancy Sura, Ch	1436 Welling, 98	Nov. 1, 2001
248-696-2140B			
740-1231	Shreyas Patel (Student)	43 Crestfield, 98	July 1, 2001
641-9538	John J. Rogers	5925 Whitfield, 98	Nov. 1, 2003
362-0671	Cynthia Buchanan	840 Huntsford, 84	Nov. 1, 2003
	(Alternate)		
680-0325	Kul B. Gauri(Alternate)	5305 Greendale, 98	Nov. 1, 2003

Animal Control Appeal Board

Appointed by Council (5) - 3 years

Term Expires 9-30-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
879-0100	Harriet Barnard, Ch	5945 Livernois, 98	Sept. 30, 2002
1-800-428-1287	Leith Gallaher	491 Troywood, 83	Sept. 30, 2003
Day Time Only			
879-6576	Kathleen Melchert	6385 Tutbury, 98	Sept. 30, 2001
643-6849	Warren Packard	4200 Beach, 98	Sept. 30, 2003
689-1697	Jayne Saeger	1740 Westwood, 83	Sept. 30, 2002

CATV Advisory Committee

Appointed by Council (7) - 3 years

Term expires 7-01-2002 (Student)

Term expires 2-28-2004

	NAME	ADDRESS (Voters)	TERM EXPIRES
689-8176	Alex Bennett	1065 Arthur, 83	Sept. 30, 2003
879-8657	Jerry L. Bixby	6228 Crooks, 98	Feb. 28, 2003
689-3430	Michael J Farrug	6781 Little Creek Ct., 98	Nov. 30, 2002
689-2528	Richard Hughes	1321 Roger Ct., 83	Feb. 28, 2003
952-5122	Kyleen Krstich (Student)	2033 Sundew, 98	July 01, 2001
643-8250	Frank Smith (Resigned)	2020 Dorchester #103, 84	Feb. 28, 2004
879-0793	W. Kent Voigt	2620 Coral, 98	Feb. 28, 2004
649-6578	Bryan H. Wehrung	3860 Edgemont, 84	Feb. 28, 2002

Mr. Smith has resigned and moved from Troy.

Civil Service Commission (Act 78)



1 - Mayor, 1 - Police and Fire Depts, 1 - Civil Service

Appointed by Council (3)-6 years

Term expires 4-30-2002

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-9308 H	David C. Cannon	3339 Medford, 84 (Mayor)	Apr. 30, 2006
734-525-4452 W			
643-6002	Donald E. McGinnis, Jr Ch.	1721 Crooks, 84 (P&F)	Apr. 30, 2004
642-6747 H	Gary A. Sirotti	4032 Rouge Circle,	Apr. 30, 2002
224-0809 B	Resigned 7/02/01	98(C.S.)	

Mr. Sirotti has moved from Troy.

Downtown Development Authority

Mayor, Council Approval (12)- 4 years Term expires 9-30-2005 Term expires 9-30-2005 Term expires 9-30-2005

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
354-9770	Garry G. Carley	Heathers Club	Sept. 30, 2001
		900 Upper Scotsborough Way	
		Bloomfield Hills, 48304	
879-2450	Philip Goy	380 Tara, 98	Sept. 30, 2001
879-6439	William Kennis	249 W. Hurst, 98	Sept. 30, 2002
526-0576B			
680-7180	Alan M. Kiriluk, Ch	101 W. Big Beaver, Ste.200, 84	Sept. 30, 2003
827-4600	G. Thomas York	Forbes/Cohen-100 Galleria	Sept. 30, 2003
		Office Center, Ste. 427,	
		Southfield, 48037	
524-3244	Daniel MacLeish	650 E. Big Beaver, Ste. F, 84	Sept. 30, 2001
258-5734	Clarke B. Maxson	1091 Oxford, Birmingham 48009	Sept. 30, 2003
689-1200 B		Office 201 W. Big Beaver Ste.	
		125, Troy 84	
879-8695	Carol A. Price	6136 Sandshores, 98	Sept. 30, 2003
879-6033	Ernest C. Reschke	6157 Walker, 98	Sept. 30, 2002
649-2924	Stuart Frankel	3221 W. Big Beaver, Ste. 106,	Sept. 30, 2003
		84	-
952-1952H	Michael W. Culpepper	1236 Autumn Dr.,98	Sept. 30, 2003
391-3777B			•
879-2646 H	Douglas J. Schroeder	2783 Homewood Dr., 98	Sept. 30, 2002
689-6555 B			-
879-3896	Matt Pryor	6892 Coolidge, 98	Sept. 30, 2002

Mr. Garry Carley wishes to be reappointed. Mr. Philip Goy wishes to be reappointed

Historical Commission

Appointed by Council (7)- 3 years

Term expires 7-01-2002 (Student)

Term expires 7-31-2004

		ADDRESS (Voters)	TERM EXPIRES
879-0195	Edward Bortner	193 Hurst, 98	July 31, 2002
649-5074H	Roger Kaniarz	4350 Stonehenge, 98	July 31, 2002
810-497-5333B			
879-8659	Cynthia Kmett	1168 Snead, 98	July 31, 2001
641-1962	Rosemary Kornacki	4648 Rivers Edge, 98	July 31, 2002
879-6168	Jeannine Kufta (Student)	683 Sylvanwood, 98	July 01, 2001
828-3632H	Kevin Lindsey	6890 Norton, 98	July 31, 2003
753-2408B			
879-6567	Muriel W. Rounds	6291 Ledwin, 98	July 31, 2003
689-1249	Brian J. Wattles	3864 Livernois, 83	July 31, 2004

Cynthia Kmett does not wish to be reappointed.

Liquor Committee

Appointed by Council (7) - 3 years

Term Expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-0817H	Max K. Ehlert	6614 Northpoint, 98	Jan. 31, 2002
689-5900W		·	
689-4614H	W. S. Godlewski	2784 Whitehall, 48098	Jan. 31, 2002
810 575-2648B			

828-7436	James C. Moseley	1687 White Birch Ct.,98	Jan. 31, 2003
689-8092	James R. Peard	4549 Post, 98	Jan. 31, 2003
642-1887H	Thomas G. Sawyer, Jr., Ch.	895 Norwich, PO 99236,Troy	Jan. 31, 2003
647-9099W		48099	
649-7480	David J. Balagna	1822 Wilmet, 98	Jan. 31, 2003
689-1099	John J. Walker	94 Evaline, 98	Jan. 31, 2003
641-8432	Jennifer Gilbert (Student)	4808 Rivers Edge, 98	July 1, 2001
524-3477	Capt. Dane Slater	Police Department	(Ex-officio)

Parks and Recreation Committee

Appointed by Council (9) - 3 years
Term expires 7-01-2002 (Student)
Term expires 9-30-2004

Term expires 9-30-2004

		ADDRESS (Voters)	TERM EXPIRES
		5902 Cliffside, 98	Sept. 30, 2002
		200 Nottingham, 98	July 01, 2001
828-4361	Kathleen M. Fejes	6475 Elmoor, 98	Sept. 30, 2001
644-6744	John F. Goetz, Jr	2539 Black Pine, 98	Sept. 30, 2003
689-3794	Gary Hauff (School Rep)	3794 Wayfarer, 83	July 31, 2001
879-9314	Lawrence Jose (Sr. Rep.)	5581 Livernois, 98	Apr. 30, 2003
828-8084	Orestes (Rusty) Kaltsounis	6798 Jasmine, 98	Sept. 30, 2003
649-4948	Tom Krent	3184 Alpine, 84	Sept. 30, 2001
879-1466	Robert J. O'Brien	6285 Brookings, 98	Sept. 30, 2002
689-2074H	Jeffrey Stewart	884 Hidden Ridge, 83	Sept. 30, 2003
569-8454B	(Troy Daze Representative)		
524-3484	Carol Anderson	Parks & Rec. Dir.	(Ex-officio)

Ms. Kathleen Fejes wishes to be reappointed.

Traffic Committee

Appointed by Council (7) – 3 years

Term Expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-2319	David Allen (Student)	3755 Ledge Ct., 84	July 01, 2001
879-0103	John Diefenbaker	5697 Wright, 98	Jan. 31, 2003

879-0250H	Eric S Grinnell	406 E Square Lake, 84	Jan. 31, 2003
663-5055B		MAIL TO:	
		PO Box 99417	
		Troy MI 48099	
689-1223	Lawrence Halsey	663 Vanderpool, 83	Jan. 31, 2003
689-9401H	Jan L. Hubbell	1080 Glaser, 98	Jan. 31, 2002
(313)665-4284B			
524-1595	Richard A. Kilmer	62 Hickory, 83	Jan. 31, 2002
689-0217H	Michael Palchesko	36 Randall, 98	Jan. 31, 2002
223-2303B			
524-9062H	Charles A. Solis, Ch.	1866 Crimson, 83	Jan. 31, 2003
689-2920B			
524-3379	John Abraham	Traffic Engineer	(Ex-officio)
524-3443	Charles Craft	Police Chief	(Ex-officio)
524-3419	William Nelson	Fire Chief	(Ex-officio)

Troy Daze Committee

Appointed by Council (9) - 3 years

Term expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
528-0155 H	Robert A. Berk	726 Thurber, 98	Nov. 30, 2003
322-9813B			
879-9030H	Sue Bishop	6109 Emerald Lake, 98	Nov. 30, 2001
879-0272B			
528-1551	Jim D. Cyrulewski.	626 Randall, 98	Nov. 30, 2001
689-9244	Cecile Dilley	2722 Sparta, 83	Nov. 30, 2001
828-8084	Kessie Kaltsounis	6798 Jasmine, 98	Nov. 30, 2002
879-6958H	Richard L. Tharp	6881 Westaway Dr.98	Nov. 30, 2003
354-3710B			
649-4345H	William F Hall	1891 Kirts, Apt 215, 84	Nov. 30, 2002
944-5968B			
689-2074H	Jeffrey Stewart	884 Hidden Ridge, 83	Sept. 30, 2003
569-8454B	(Repr to Parks/Rec Board)	_	_
879-3710	Eldon Thompson	6500 Denton, 98	Nov. 30, 2002
952-1732	Cheryl A Kaszubski	1878 Freemont, 98	Nov. 30, 2003
952-1763	Rebecca Mill (Student)	1478 Brentwood, 98	July 1, 2001

Economic Development Corporation Committee of 9

Presently Serving	Allina	Telephone Numbers	Term	Original
Name	Address		Expires	Appt Date
Bluhm, Kenneth	6187 Brittany Tree, 98	879-5725H	4/30/06	3/05/01
		313-225-9095B		
Gigliotti, Robert S	2381 Hidden Pine, 98	641-7676H	4/30/02	
		362-3600B		
Licari, Leger(Nino)	4533 Post, 98	524-0877H	4/30/04	
	·	524-3311B		
Parker, Michael	2524 Kingston, 84	643-0332H	4/30/07	4/30/01
•		739-4254B		
Redpath, Stuart F	1679 Greenwich, 98	641-7339H	4/30/03	1/22/01
•		879-0500B		
James A. Rocchio	2810 Waterloo, 84	649-9612H	4/30/03	7/23/01
		205-2748B		
Salgat, Charles	20651 Winter, 83	689-7235	4/30/04	
Sharp, John	3362 Muerknoll, 84	362-5385H	4/30/03	9/25/00
Julia p, John	JJUZ WIGGI KITOTI, 04	540-2300B	7,30,03	3/23/00
Ossida Dassalaa	074 Halatan		4/00/05	0/00/04
Smith, Douglas	874 Helston	645-5274H	4/30/05	8/20/01
	Bloomfield Hills, 48304	524-3498B		

09/06/01 1 F-1

Economic Development Corporation Committee of 9

Interested Citizens	Adduss	Telephone	Date	Sent	Currently
Name	Address	Numbers	Received	To Council	Serving
Baughman, Deborah	967 Muer, 84	362-3082H	6/18/01	7/09/01	
L		313-961-8380B	5/2003		
Hall, Patrick C	5363 Clearview, 98	641-4765H	1/26/01	2/05/01	
		952-0400B	6/12/01	7/09/01	
			5/2003		
Silver, Neil S	3837 Edenderry, 83	680-0147	8/11/00	8/21/00	
			6/20/01	7/09/01	
			5/2003		

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Parks and Recreation Board Committee of 9

Presently Serving		Telephone	Term	Original	TimeApplied
Name	Address	Numbers	Expires	Appt Date	Term Limits
Bordas, Douglas M	5902 Cliffside, 98	828-8940	9/30/02	1/08/96	10/04/99
Byrd, Haley (Student)	200 Nottingham, 98	879-2977	7/01/01	9/11/00	
Fejes, Kathleen	6475 Elmoor, 98	828-4361	9/30/01	9/26/92	
Goetz, John F Jr	2539 Black Pine, 98	644-6744	9/30/03	1/31/77	9/25/00
Hauff, Gary School Representative	3794 Wayfarer, 83	689-3794	7/31/01	8/03/98	
Jose, Lawrence	5581 Livernois, 98	879-9314	4/30/03	6/21/93	8/07/00
Kaltsounis, Orestes (Rusty)	6798 Jasmine, 98	828-8084	9/30/03	8/21/00	8/21/00
Krent, Tom	3184 Alpine, 84	649-4948	9/30/01	9/26/92	
O'Brien, Robert J	6285 Brookings, 98	879-6575	9/30/02	8/27/97	10/04/99
Stewart, Jeffrey Troy Daze Repr	884 Hidden Ridge, 83	689-2074H 569-8454B	9/30/03	3/05/01	9/25/00
Anderson, Carol	Parks and Recreation Director	524-3484			

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

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RESUMES/CURRENT MEMBERS/INTERESTED CITIZENS

Interested Citizens Name	Address	Telephone Numbers	Date Received	Sent To Council	Currently Serving
Connelly, Sharon M	1638 Martinique, 84	649-3542	11/02/99		Advisory Committee Persons w/Disabilitie
Deel, Ryan J	22926 Roundtree, 83	252-4588H 357-6610B	5/17/01/6/25/01 5/2003	5/21/01 7/09/01	
Fischer, Joan	5246 Cameron, 98	641-8363	9/15/99/6/12/01 5/2003	7/09/01	
Gauri, Kul B	5305 Greendale, 98	680-0325	8/26/99		Advisory Committee Persons w/Disabilitie
Hrynik, Thomas F	2828 Orchard Trail, 98	642-4534	10/16/00 6/14/01/ <mark>5/2003</mark>	11/06/00 7/09/01	
Huber, Laurie G	2794 Saratoga, 83	619-1487	6/18/01 5/2003	7/09/01	
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Kovacs, Meaghan	5621 Livernois, 98	879-5193H 262-6932B	1/08/01 1/2003	1/22/01	
Victoria Lang	2700 Dashwood, 83	589-3304	7/09/01 6/2003	7/23/01	
Nixon, Jacques O	1035 Milverton, 83	524-1874	6/14/00	6/19/00	Historic Distric Commission
Noce, Robert W	2850 Orchard Trail, 98	540-1606	11/16/00	11/20/00	Charter Revision
Poulsen, Connie	1581 Picadilly, 84	816-9064H 641-2237B	8/17/01	9/10/01	
Redpath, Stuart	1679 Greenwich, 98	641-7339H 879-0500B	7/26/00	8/07/00	Economic Development Corp
Walker, James	5356 Orchard Crest, 98	879-1223B	6/11/99 6/14/01 5/2003	7/09/01	
Wattles, Brian J	3864 Livernois, 83	689-1249	7/10/01 6/2003	7/23/01	Historical Commission
Wright, Wayne C	2515 Homewood, 98	641-7115H 810-775-7710B	1/07/99		Palling Commission

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

09/06/01 2 F-1



4400 Livernois Road Troy, Michigan 48098-4799 248.823.4000 248.823.4012 Fax jjopke2@troy.k12.mi.us

August 15, 2001

RECEIVED

AUG 2 0 2001

CITY OF TROY
CITY MANAGER'S OFFICE

Mr. John Szerlag, City Manager City of Troy 500 W. Big Beaver Troy, MI 48084

Dear Mr. Szerlag:

The Board of Education recently reorganized committee appointments and recommendations. The Troy Board of Education would like to recommend to the Troy City Council that Mr. Gary Hauff be nominated to serve as the Board's representative on the Troy Parks and Recreation Board for the 2001-2002 school year.

If you need more information or further clarification, please let me know. Thank you for your consideration.

Sincerely,

Janet H. Jopke, Ed.D. Superintendent of Schools

js

Troy City Clerks Office

500 West Big Beaver

Troy MI 48084

248 524-3316

September 5, 2001

TO: All recipients of the Boards and Committees Resume Book

FROM: Clerk's office

RE: Update process of Resume Book

We are in the process of verifying our records showing citizen interest in the Boards and Committees of the City of Troy.

Please **file** the **attached revised and new applications** for the following people as they have indicated a **change/ interest** in their Boards and Committees choices.

Connie Poulsen Sharon Lu (Student) Sucheta Sikdar (Student) Lusi Fang (Student)

Thank you.

9/6/01 F-1

Date: 8/17/0/

Name (Mr/Mrs/Ms): CONNU Poul8CM

Address: 1581 Picadelly Dr.

City/State/Zip: Troy, M1 48084

Phone: 248-816-9064

Employer: PPt Indus.

Address: 5875 New King Ct

City/State/Zip: TIDY, MI 48098

Phone: 248 641-2237

Registered voter in the City of Troy? Yes 🗹 No 🗇

How long have you lived continuously in the City of Troy? **SUCARS**

Have you ever been convicted for anything other than a minor traffic violation? Yes \square No \square

Thank you for your interest in serving on an Advisory Board or Committee.

The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment.

The application will be kept on file for two years.

Number the advisor poards or committees for which you would like to apply for in the order of your preference:

1=first choice, 2=second choice, etc.

- Advisory Committee for Persons with Disabilities
- Advisory Committee for Senior Citizens
- Animal Control Appeals Board
- Board of Canvassers
- Board of Review
- Board of Zoning Appeals
- Brownfield Redevelopment Authority
- Building Code Board of Appeals
- CATV Advisory Committee
- _ Charter Revision Committee
- Civil Service Commission Act 78
- Downtown Development Authority
- Economic Development Corporation
- Election Commission
- Historical Commission
- Historic District Commission
- Library Board
- _ Liquor Committee
- Municipal Building Authority
- Parks & Recreation Board
- Personnel Board
- Planning Commission
- Retirement System Board of Trustees
- _ Traffic Committee
- Troy Daze Committee

☐ I do not wish to be reappointed





City Clerk's Office 500 West Big Beaver Troy, Michigan 48084 (248) 524-3316

(Send Application to above Address)

current:
Professional Qualifications and/or Work Experience: DIV. Marketing Communications - PPG Ind. 1998-Pre
Director Sales & Marketing - Avery Dennison - 1987 - 1998
Asst. Director Marketing Services-Lear 1984-1987
Asst. Director Marketing Services-Lear 1984-1987 Los Angeles Olympic Organizing Committee 1983-1984
Community Activities and/or Other Experience: Yarsity Coach & Athlens High School, PTA Bemis
Elementry
Educational Background: Masters Degree in Business (MBA)
References (Please list name and address): Paul Joliat Shakes peare DR: Twou 637-3227
References (Please list name and address): Paul Joliat Shakespeare DR. Tvoy 637-3227 Tennifer Rosenzweig Oak Dr. Birmingham \$593-8212
COMMICE ROSCITZACIO CIUN DR. HAMMIGINATIO
Indicate REASONS FOR DESIRING TO SERVE: Interested in Parks + Ree as I have 3 children
unvolved in programs
will old in play and
Signature: Connie Poulsen

Sept 10 augusta

Application STUDENT REPRESENTATIVES ON CITY BOARDS AND COMMISSIONS

Name: Shavon LU Grade: Age: 6
Address: 1749 Freemont
City: Zip:
Telephone: (248) (41-3860 School: Troy High
Using the attached listing of City boards and commissions, please list your top 3 choices, ranking your order of preference for appointment from 1 (being your first choice) to 3.
1. Library Advisory Board (name of board/commission)
(name of board/commission)
3. <u>CATV Advisory Committee</u>
(name of board/commission)
Please list your school activities and/or classes which would qualify you to sit
on the boards or commissions of your choice:
I English AP Lit & Comp Honors,
HM. FYISTORY AP, WORLD HISTORY HP
Please list your involvement in extra-curricular and non-school activities: Last year, I was one of the 35 teems around the Us chosen to be part of the Teen People newsteam. I have a articles published in the magazine. I'm also one out the 25 teems around the Us chosen to be part of the Youth Leadership Team to Prevent Teen Pregnancy. I have also What personal skills and characteristics do you possess that would make you a volunteered good representative? My most important characteristic is that I am a at Beaumon
curious person who likes to get involved limaso Hospital. very efficient a responsible. Also, I love to read!
Niver 1

How would you be able to schedule your time to	function effectively as a
	ad lam also good
at concentrating a working of	HECTENHIY to accomplish
Would you be interested in being considered for selected for any of your top three choices?	any other boards if you are not
Yes No	
Please include a short essay, (no more than 250 wo describing why the selection committee should choos to a board or commission. If selected, your essay will your board or commission. Please include two letters of recommendation from as who know your activities out of school.	le you as a student representative I be part of your introduction to dults who know you at school and
two references are	being mailed to you ss & Marge starczewski
from Jen Widnes	SS & Marge Starczewski
Parent(s) Permission:	9
I give my permission for my son/daughter to see representative to a City of Troy board or commis	
Mingyanes	7-25-01
Parent Signature	Date

Return application to:

Cindy Stewart, Community Affairs Director City of Troy 500 W. Big Beaver Rd. Troy, MI 48084 I grew up in the City of Troy; it has been my home. My home is a wonderful place to live. It is nurtured by dedicated men and women who contribute selflessly and endlessly. Now, I want to join that effort.

When I arrived in Troy, MI, I was seven years old. Having lived all my life in China, I spoke no English. One of the earliest memories was getting my first library card; it was like a key to a whole new country. The library fostered my love for books, without which, I don't think I would be the same person as I am today. The library holds a special place within me; it allowed me to explore another world.

I hope that as a student representative, I will be able to help improve the library, the city. I hope to make my home as wonderful for others as others had made it for me.

THE

NATIONAL

CAMPAIGN TO

PREVENT TEEN PREGNANCY

1776 MASSACHUSETTS AVENUE NW SUITE 200

Washington DC 20036

Ms. Cindy Stewart Community Affairs Director City of Troy 500 W. Big Beaver Rd. Troy, MI 48084

Dear Ms. Stewart:

Phone: 202.478.8524 Fax: 202.478.8588

WEB: WWW.TEENPREGNANCY.ORG

EMAIL: JWIDNESS@TEENPREGNANCY.ORG

July 25, 2001

My name is Jennifer Widness and I am the Coordinator for the Youth Leadership Team as well as the Assistant to the Director of the Religion and Public Values Program at the National Campaign to Prevent Teen Pregnancy. The Purpose of this letter is to express my enthusiastic recommendation of Sharon Lu for the position of student representative on the Troy City Council.

My experience with Sharon is through the Campaign's 2001 Youth Leadership Team (YLT). The YLT is a group of twenty-two 14-to 17-year-olds from across the nation who work with us in a variety of ways. They help to shape Campaign policies, programs, and messages; work with organizations to raise awareness about teen pregnancy and its prevention in their communities; and give voice to the unique perspectives and opinions of teens. Each YLT teen was nominated by an individual or organization that they are presently affiliated with. Sharon, who was nominated by *Teen People* magazine for which she is a member of their New Team, was one of only eleven females selected from more than 100 teens nominated.

The Campaign held its first conference with the 2001 YLT in early March. Sharon is articulate, well-spoken, and dedicated to her ideals. We are thrilled to have such a competent and enthusiastic individual to serve on our YLT over the next year and a half.

Sharon would serve as a great student representative to the city council. Her intellect and concern for other people shines through in all that she does. Please do not hesitate to contact me if you have any questions or concerns at (202) 478-8524 or jwidness@teenpregnancy.org. Thank you.

Sincerely,

Jennifer Widness

Coordinator, Youth Leadership Team

es Widness

Dear Ms. Stewart,

I am writing this letter to recommend Sharon Lu for the position as student representative for the City of Troy. I was Sharon's fourth grade teacher at Morse Elementary and have kept in contact with her since then.

Sharon is a very dedicated, hard working, responsible, and intelligent young lady. She is and has always been able to express herself in the most mature fashion. Sharon takes her responsibilities very seriously and would be an asset in any position.

I am proud that she asked me to write this letter and have valued her friendship through the years.

Sincerely,

Marge Starr

P.S. If you need anything further, please feel free to contact me at Troy Union or at home (879-9521)

Sept 10 da

Application STUDENT REPRESENTATIVES ON CITY BOARDS AND COMMISSIONS

Name: Lusi Fang Grade: 11 Age: 16
Address: 1948 Freemont Dr.
City:
City:
Using the attached listing of City boards and commissions, please list your top 3 choices, ranking your order of preference for appointment from 1 (being your first choice) to 3.
1 Traffic Committee
(name of board/commission)
2 CATU advisory Committee
(name of board/commission)
3. Planning Commission
(name of board/commission)
Please list your school activities and/or classes which would qualify you to sit on the boards or commissions of your choice: SADD concerns with dunking and diving, which is a large part of traffic. TV Productions would be useful in CATV.
Please list your involvement in extra-curricular and non-school activities: SADD, French Club, Future Problem Solvers, Project IEAD, voliteer at Winwood, Volunteer at the Nature Center, Quiz Bowl, Moth Club, Backpacking club, Bardom Ads of Kindness
What personal skills and characteristics do you possess that would make you a
good representative?
outgains friendly, a good speaker / debater,

How would you be able to schedule your time to function effectively as a representative?	student
I would leave the day and the	
time free for every moroth that	aled -
committee medio for	Jone.
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그는 말을 되었다. 생각하는 말이 되는 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들이 되었다.	
Would you be interested in being considered for any other boards if you	are not
selected for any of your top three choices?	
YesNo	
Please include a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay, (no more than 250 words typed or neatly handwrited as a short essay).	itten)
describing why the selection committee should choose you as a student represent	ntative to
a board or commission. If selected, your essay will be part of your introduction board or commission.	to your
Please include two letters of recommendation from adults who know you at sch	ool and
who know your activities out of school.	or alla
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Parent(s) Permission:	
I give my permission for my son/daughter to seek the position of a	
representative to a City of Troy board or commission.	
-sp-sistence to a City of 110y bound of confinitission.	
Wei Jiang Fang 1-7-01	
Parent Signature Date	

Return application to:

Cindy Stewart, Community Affairs Director City of Troy 500 W. Big Beaver Rd. Troy, MI 48084

TROY HIGH SCHOOL

Guidance Department

4777 Northfield Parkway Troy, Michigan 48098

Phone: 248/823-2839 • Fax: 248/823-2713

Mary Haezebrouck Counselor

December 3, 2000

Lusi Fang is truly an outstanding young lady. Lusi is an exceptional student, a contributing member of any organization she is involved in, and a focused, determined individual.

Lusi is a leader and is very interested in participating and contributing to the City board and/or commission. Involved in many diverse activities, Lusi actively volunteers in her community, is a member of the Debate team, Future Problem Solvers, the Math Club, SADD and the French and Chinese Club, in addition to participating in the Quiz Bowl and Science Olympiad. An excellent musician, Lusi is a part of the Symphony Band and has placed in first place in the MSBOA.

Lusi is a mature young woman who is extremely ethical and is committed to projects she undertakes. She does not take her involvement lightly in any setting. She is the kind of young person that others can count on. Once she gives her word, she always follows through.

As a counselor, seeing many fine youngsters develop and grow throughout the years, I must state that Lusi Fang stands out. Her personal commitment, exceptional ability, and multi-talents will take her along way in realizing her personal goals. I enthusiastically recommend her as a candidate for one of the city boards and/or commissions. She will no doubt contribute in many significant ways. If you have any questions, please feel free to contact me at 248 823-2839.

Sincerely,

Mary Haezebrouck



Troy High School Foreign Language Department 4777 Northfield Parkway Troy, Michigan 48098 Judith Zuccaro, French Teacher, Department Chair

Cindy Stewart, Community Affairs Director City of Troy

January 1, 2001

Dear Ms. Stewart,

It is with great pleasure that I recommend Miss Lusi Fang for a seat as student representative on one of the City of Troy Boards or Commissions. Lusi is a committed, talented young lady who will represent her peers well in a thoughtful, provocative manner.

Lusi is presently a student in my French 3 class where her attendance, attitude, and work are exemplary. She has been an active member of my French Club for three years, this year serving as one of the major officers. I can always count on Lusi's participation and diligence to help get activities and projects up and running. It is in French Club that I often encounter students who participate in name only, but Lusi fulfills her office with reliability and organization.

I know you would never regret selecting Lusi to fill a student position. You will be amazed at the ethical, thoughtful, serious manner in which Lusi will contribute to the board. In my estimation, there could not be a better candidate.

Feel free to contact me at Troy High School (248)823-2714, or at home (248)813-8765.

gudith a succaro

udith Zuccard

To the Selections Committee:

My name is Lusi Fang and I hope that I can have the opportunity to contribute to my city by being a representative in one of the three committees I have chosen: Traffic, CATV, or Planning.

I wanted to be a student representative to get more involved in the planning structure of Troy. I think the city is doing an excellent job in planning its festivities, offering helpful and enriching classes, and providing many wonderful public facilities open to its residents. I want to be a part of the team that makes these great things happen. I am also strongly interested in governmental affairs and operations. What a better place to start than in my own community committee where I can be of some help in the learning process?

One of the reasons I chose the committees above is that their meeting times are convenient for me. I want to partake fully in whatever project I choose to do, to be there on time, every time. Secondly, I have taken interest in these committee's topics.

Currently a member of SADD (Students Against Driving Drunk), I believe that having a voice in the traffic committee would tie in perfectly with this activity. I chose the CATV committee because it ties in with my TV Productions class in school, and TV just always provides a fascinating attraction to a teenager. The planning committee is of great interest to me because I love to study the organizational structure of government, and planning is probably the committee that is the core of this.

Thank you for your consideration.

Sept 10 agenda

Application STUDENT REPRESENTATIVES ON CITY BOARDS AND COMMISSIONS

Name: SUCHETA SIKDAR Grade: 11 Age: 15 YRS
Address: 539 KIRTS BLVD, APT# 28
City:
Telephone: 248-269-9087 School: TROY HIGH SCHOOL
Using the attached listing of City boards and commissions, please list your top 3 choices, ranking your order of preference for appointment from 1 (being your first choice) to 3.
1. ADVISORY COMMITTEE FOR PERSONS WITH DISABICIT. (name of board/commission) TES.
(name of board/commission)
3. PARKS AND RECREATION BOARD. (name of board/commission)
Please list your school activities and/or classes which would qualify you to sit on the boards or commissions of your choice: I have learnt World History and have also finished. American History Part I in School. I have also won prizes in denawing competitions.
That skill may help in making posters.
Please list your involvement in extra-curricular and non-school activities: I am new to U.S.A. Therefore I have limited activities outside school as of now
What personal skills and characteristics do you possess that would make you a good representative? I understand that in a community people need to help whother. I want to apply my understanding to relate to the specific needs of people with disable tries. I also have taken core of my baby brother. I can therefore

	dule your time to function effectively as a student
representative?	+1. + . 1+ 1+ 4
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will therefore in	the agreement. (Should y serve
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	g considered for any other boards if you are not
selected for any of your top three	e choices?
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Disease instrude a short essert (no m	nore than 250 words typed or neatly handwritten)
	uittee should choose you as a student representative
	ed, your essay will be part of your introduction to
your board or commission.	
Please include two letters of recom-	mendation from adults who know you at school and
who know your activities out of sch	
	27.725.
n // 1 n · · ·	
Parent(s) Permission:	
I give my permission for my sen	a/daughter to seek the position of a
representative to a City of Troy l	
00	board of continussion.
Kikdar	8 28 01
Parent Signature	Date
0	

Return application to:

Cindy Stewart, Community Affairs Director City of Troy 500 W. Big Beaver Rd. Troy, MI 48084 I am interested in community service. I want to do something for the community that does so much for me. This gives me mental satisfaction.

I feel that by getting along with the disabled, I will be evriched because these people have very sharp senses in some respects. I am sympathetic towards animals who are abused. I have helped many animals. I want to protect the environment and control pollection. In India, I had many plants and trees in my garden. I watered them and took good care of them. I made a poster in the anti-melarial Campaign held in my previous school. I won the first prize in the poster competition in that school. This competition was compulsory for all schools affiliated to CBSE (Central Board of Secondary Education). I am interested in History and take interest in seeing ancient monuments, artifacts, articles etc.

I look forward to working with Troy Community service. David Robertson Social Studies Teacher Romeo High School 11091 32 Mile Road Romeo MI, 48085

To whom it may concern:

Sucheta Sikdar was an outstanding student for me this past summer. She had a great deal of prior knowledge of American government and was already aware of what it takes to be a good citizen. She was a great help to me and I valued her participation. Sucheta was always ready to learn with a great attitude, sense of patience, and ability to focus. I would recommend her for helping out people with disabilities.

Sincerely,

David Robertson

August 22, 2001

I am pleased to recommend Sucheta Sidkar for volunteering for community service for the disabled. She was recently in my summer school American History class. She was a very hard worker who got an A in my class. Sucheta will be an excellent choice for the community service.

Please feel free to let me know if you need any more information on this outstanding student.

Sincerely,

Marci Philko

Marci Philko Social Studies Teacher North Farmington High School W(248)426-1161



Memorandum

To: Mayor and City Council From: John Szerlag, City Manager

John M. Lamerato, Assistant City Manager/Finance and Administration

Tonni L. Bartholomew, City Clerk

Date: September 5, 2001

Subject: Proposed Amendment to Council Rules of Procedure

The proposed Council Rules of Procedure amendment, including the amendment of August 27, 2001 is attached. If adopted, the proposed amendment should be numbered 24 and Item 24 should be renumbered to 25.

The proposed new item number 24 is:

24. Agenda Items Submitted by Council Members:

Mayor and Council Members submitting an item for a vote shall send the item to the City Manager in a timely manner in writing. Staff professional opinion will be written to accompany the item for discussion and a vote on the matter. Presentations at the Council table shall be limited to 15 minutes. Items requiring more input shall be considered for a Study Session on the 4th Monday of the month as provided in our Rules and Procedures.

The following motion would reflect the above change:

PROPOSED RESOLUTION

RESOLVED, That the Troy City Council Rules of Procedure, dated May 7, 2001, are hereby amended as proposed; with the insertion of a new Item Number 24, Agenda Items Submitted by Council Members, and Item Number 24, Violations, renumbered as Item Number 25.

August 23, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

SUBJECT: Police/Fire Administration Building

Architectural Proposal for Site Alternatives

Recently Councilman Howrylak had presented to Council an alternative site design for the new Police/Fire Administration Building. As a result of that presentation, Council requested staff obtain a proposal from the architect to prepare drawings that would incorporate elements of Councilman Howrylak's presentation.

Attached for your review is a proposal from Redstone Architects, Inc. to do the work requested for a professional fee not to exceed \$16,500. This fee could be reduced by \$5,000 if the animation (virtual walk-through) is eliminated.

Should Council agree to move forward with this proposal, the money would come from the remaining bond (Proposal B) funds currently frozen until costs for Fire Station No. 3 can be established.



Architecture • Planning • Interior Design

RECEIVED

AUG 2 1 2001

CITY OF TROY CITY MANAGER'S OFFICE

August 17, 2001

Mr. John Szerlag, City Manager 500 West Big Beaver Troy, Michigan 48084

Re: Proposal for Concepts for Relocating Police Access Drive and a Civic Plaza on the North Side of the Future Addition to the Police Department (R.A. Project No. 3318.01)

Dear Mr. Szerlag:

Following our meeting of August 15, 2001 at the Troy City Hall, we are pleased to submit to your consideration the enclosed proposal aimed at generating two or three different schemes for a relocated access drive to the future Police addition and concept of a new Civic Plaza. From our understanding of the meeting, the schematic concepts should focus on the following:

- visibility of the vehicular access to the new Police building addition and integration with the existing drives and parking on the northeast side of the Civic Center
- development of a large public space integrating pedestrian uses, landscaping and parking

Our proposal include the following deliverables:

- 1) Two or three boards depicting the schematic concepts of the drive and Plaza
- 2) Preliminary grading and drainage of drive and Plaza
- 3) Preliminary cost estimate of the Plaza
- 4) Analysis of impact of this proposal on the design/construction schedule
- 5) Virtual, walk-through animation presentation
- 6) Meetings as required with staff and City Council

We propose to accomplish all of the above mentioned deliverables for an A/E professional fee not to exceed \$16,500, calculated on an hourly basis, in accordance with our current contract. If no animation is required you may deduct \$5,000.

Corporate Headquarters 29201 Telegraph Road, Suite 400 Southfield, MI 48034-7647 Phone: 248-351-0770 Fax: 248-351-0660 southfld@redstonearchitects.com

11000 W. McNichols, Suite 219 Detroit, MI 48221-2357 Phone: 313-861-0770 Fax: 313-861-0660 detroit@redstonearchitects.com



Mr. John Szerlag, City Manager August 17, 2001

We at Redstone Architects trust that our understanding of this project meets with your expectations and those of the Troy City Council. We look forward to continuing our successful relationship with dedication and professionalism.

Sincerely,

REDSTONE ARCHITECTS

Daniel Redstone, President

NCARB, AIA

cc:

Mr. Gary Shipka, Assistant City Manager

August 21, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

William R. Need, Public Works Director

SUBJECT: Winter Maintenance Agreement, Road Commission for Oakland County

Attached is the proposed Winter Maintenance Agreement between the Road Commission for Oakland County (RCOC) and the City of Troy.

I am in agreement with the measured lane miles figured as they have been presented, and with the level of compensation for each road configuration. Both the number of lane miles has increased along with the amount of compensation over last season's contract. Mileage is up by fifty-seven percent (57%), and the total value of the contract has grown by sixty-two percent (62%).

The Public Works Department had approached the RCOC late last winter, asking them if it would be possible to take over the responsibilities for snow and ice control on the remaining County roads in the City. During last year's winter storms a significant number of the complaints we received concerned County roads not serviced by the City. It is our feeling that we can provide a higher level of service, sooner, and more efficiently then the RCOC can offer at this time.

The RCOC agrees with our point of view and has added the majority of all County roads previously serviced by the RCOC to this proposed winter maintenance agreement, with the exception of 14 Mile Road. This street (14 Mile Road) is part of the winter maintenance contract that RCOC has with the City of Madison Heights. The new additions to our proposed contract include the following:

- Maple Road
- Adams
- South Boulevard
- Dequindre

I recommend that the proposed maintenance agreement be approved as printed.

Attachments

Cc: Tim Richnak, Superintendent of Streets/Drains



QUALITY LIFE THROUGH GOOD ROADS: ROAD COMMISSION FOR OAKLAND COUNTY "WE CARE"

Board of Road Commissioners

Larry P. Crake Chairman

Richard G. Skarritt Vice-Chairman

Rudy D. Lozano Commissioner

Brent O. Bair Managing Director

Gerald M. Holmberg Deputy Managing Director County Highway Engineer

Highway Maintenance Department

2420 Pontiac Lk. Rd. Waterford, MI 48328

248-858-4881

FAX 248-858-7607

TDD 248-858-8005

www.rcocweb.org

July 31, 2001

Mr. William Need Director of Public Works City of Troy 500 West Big Beaver Road Troy, Michigan 48084-5285

Dear Mr. Need:

Attached are two copies of a Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy.

If this agreement is satisfactory, please return the two-signed copies and the resolution of approval by your City Council. One fully signed copy will be returned to you, when approved by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your road employees for the fine work that has been done. We will continue to cooperate in providing our citizens with the best road system possible.

Sincerely

James W. Dunleavy

Director of Highway Maintenance

/jp

Attachment

WINTER MAINTENANCE AGREEMENT

Under 1951 PA 51, As Amended

This Agreement made this _______ day of ________, 2001, between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a Public Body Corporate, hereinafter referred to as the "BOARD", and the City of Troy, Oakland County Michigan, a Municipal Corporation hereinafter referred to as the "CITY", witnesseth as follows to-wit:

Certain county primary and local roads, being a part of the Oakland County primary and local road system, in accordance with the provisions of 1951 PA 51, as amended, and as more fully described in Exhibit A, attached hereto and made a part hereof, are located within or adjacent to, said City.

The City hereby agrees to be responsible for the winter maintenance of said roads under the terms of this Agreement and the Board agrees to participate in the cost thereof as provided in Section III of this Agreement.

The "Winter Maintenance" included in the terms of this Agreement shall be such as is defined in Section I of this Agreement.

NOW, THEREFORE, in consideration of the mutual convenants set forth herein as provided, it is hereby agreed as follows:

I

Winter Maintenance, as herein required to be performed by City, shall include the following minimum requirements:

<u>SNOW AND ICE CONTROL</u>: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel. Ice Control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel.

II

City agrees to keep said roads in such conditions as to be reasonably safe and convenient for public travel, in accordance with MCL 224.21.

City agrees to hold harmless, represent, defend and indemnify the Board, its officials and employees from any and all claims and suits arising out of the performance or non-performance of the activities, which are the subject matter of this Agreement.

Ш

In consideration of the assumption of Winter Maintenance by the City, the Board agrees to pay to the City the sum of

\$2,777.03 per mile, for roads having two lanes of through traffic

\$3,940.13 per mile, for roads having three lanes of through traffic

\$4,859.79 per mile, for roads having four or five lanes of through traffic

\$5,994.06 per mile, for roads having six or more lanes of through traffic,

in accordance with the mileage set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

35% in December 2001 65% in March 2002

The making of said payments shall constitute the Board's entire obligation in reference to Winter Maintenance.

IV

The usual maintenance guidelines and standard practices utilized by the Board, including but not limited to, the Board adopted Winter Maintenance Guidelines, shall control. Should any dispute arise as to the character or extent of Winter Maintenance or to City's performance hereunder, the controversy may be referred to an arbitration board consisting of the Road Commission for Oakland County Director of Highway Maintenance, the City Engineer and a third person to be chosen by them for settlement thereof.

V

The City acknowledges that it has provided, and will provide during the term of this Agreement, automobile and general liability insurance coverage, in the amount of \$1,000,000 single limit, Bodily Injury and Property Damage, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement, as well as statutory Workers' Compensation Insurance.

The City shall not cancel, reduce, or non-renew the coverage of any insurance required by this section without 30 days prior written notice to the Board. All insurance provided in accordance with this section shall include an endorsement whereby the insurer shall agree to notify the Board immediately of non-renewal or any reduction or cancellation of any coverage.

VI

The City further agrees to comply with all relevant laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of the Administrative Rules of the Waste Management Division of the Department of Environmental Quality, as detailed in the Manual for Storage of Road Maintenance Chemicals at Road Agency Maintenance Garages.

VII

In accordance with 1976 PA 453, as amended, and 1976 PA 220, as amended, the City covenants not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, marital status or because of a handicap that is unrelated to the individual's ability to perform the duties of the particular job or position and to require a similar covenant on the part of any subcontractor employed in the performance of the Agreement.

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2001, and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2002, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty days prior to the date of termination.

copy attached as Exhibit B).	ated by the Board at its meeting ofa resolution of its governing body, adopted
Vitnesses:	CITY OF TROY A Municipal Corporation
	By:
	Its:
	By:
	Its:
Vitnesses:	BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND, A Public Body Corporate
	By:
	Its:
	By:

WINTER MAINTENANCE 2001-2002 CITY OF TROY

EXHIBIT A

Long Lake Road	
Extending from Adams to Dequindre	
1.54 miles at \$2,777.03 per mile	\$ 4,276.63
0.16 miles at \$3,940.13 per mile	\$ 630.42
3.47 miles at \$4,859.79 per mile	\$ 16,863.47
0.86 miles at \$5,994.06 per mile	<u>\$ 5,154.89</u>
TOTAL	\$ 26,925.41
John R Road	
Extending from Fourteen Mile Road to South Boulevard	
1.15 miles at \$2,777.03 per mile	\$ 3,193.59
0.32 miles at \$3,940.13 per mile	\$ 1,260.84
4.37 miles at \$4,859.79 per mile	\$ 21,237.28
0.38 miles at \$5,994.06 per mile	<u>\$ 2,277.74</u>
TOTAL	\$ 27,969.45
Big Beaver	
Extending from Adams to Dequindre	
3.40 miles at \$4,859.79 per mile	\$ 16,523.29
2.61 miles at \$5,994.06 per mile	<u>\$ 15,644.50</u>
TOTAL	\$ 32,167.79
Crooks Road	
Extending from Maple Road to South Boulevard	
0.38 miles at \$2,777.03 per mile	\$ 1,055.27
0.26 miles at \$ 3,940.13 per mile	\$ 1,024.44
3.08 miles at \$4,859.79 per mile	\$ 14,968.15
1.40 miles at \$5,994.06 per mile	<u>\$ 8,391.68</u>
TOTAL	\$ 25,439.54
Livernois Road	
Extending from Maple Road to South Boulevard	
1.31 miles at \$2,777.03 per mile	\$ 3,637.91
0.34 miles at \$3,940.13 per mile	\$ 1,339.64
3.05 miles at \$4,859.79 per mile	\$ 14,822.36
0.43 miles at \$5,994.06 per mile	<u>\$ 2,577.45</u>
TOTAL	\$ 22,377.36

WINTER MAINTENANCE 2001-2002 CITY OF TROY

EXHIBIT A

Maple Koad	불통하는 다시하는 기계 첫째 기계
Extending from Dequindre to Coolidge	
5.01 Miles at \$4,859.79 per mile	\$ 24,347.55
South Boulevard	
Extending from Dequindre to Adams	
5.96 Miles at \$2,777.03 per mile	\$ 16,551.10
Dequindre Road	
Extending from Fourteen Mile to South Boulevard	
2.16 Miles at \$2,777.03 per mile	\$ 5,998.38
3.98 Miles at \$4,859.79 per mile	\$ 19,341.96
TOTAL	\$ 25,350.34
Adams Road	
Extending from South Troy City Limits to South Boulevard	
4.34 Miles at \$ 2,777.03 per mile	\$ 12,052.31
고 있는 사람들이 가장하고 말라고 있다. 그런 사람들에 함께 가장 그런 사람들이 되었다. 	
Harrier TOTAL	\$ 213,170.85

CITY OF TROY EXHIBIT A (Continued)

\$213,170.85
0010 170 07
\$ 34,046.26
\$ 2,577.45
\$ 8,391.68
\$ 15,644.50
\$ 5,154.89 \$ 2,277.74
¢ 5154.00
\$128,104.06
\$ 24,347.33 \$ 19,341.96
\$ 14,822.36 \$ 24,347.55
\$ 14,968.15
\$ 16,523.29
\$ 21,237.28
\$ 16,863.47
\$ 4,255.34
\$ 1,339.64 \$ 4.255.24
\$ 1,024.44
\$ 1,260.84
\$ 630.42
\$ 46,765.19
<u>\$ 12,052.31</u>
\$ 5,998.38
\$ 16,551.10
\$ 3,637.91
\$ 3,193.59 \$ 1,055.27
\$ 4,276.63
4 074 60

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka/Assistant City Manager/Services

Jeanette Bennett, Purchasing Director William R. Need, Public Works Director

SUBJECT: Bid Waiver/Sole Source – East Jordan Iron Works

Hydrant and Valve Repair Parts

RECOMMENDATION:

On October 16, 2000 City Council approved a one-year contract with manufacturer East Jordan Iron Works to provide East Jordan hydrant and valve repair parts to the City of Troy at a discount of 35% off-list (Council Resolution #2000-458). East Jordan Iron Works has offered to extend the contract for an additional year at 40% off-list.

At this time it is recommended that the City accept the offer by East Jordan Iron Works to extend the contract for an additional year.

WAIVER/SOLE SOURCE EXPLANATION:

The City of Troy standardized all fire hydrants in the City to those manufactured by East Jordan Iron Works many years ago. Standardization has alleviated problems with employee training, inventory, and maintenance issues. By purchasing directly from the manufacturer, the City is treated as a distributor, obtaining the same discounts.

BUDGET

Funds are available from the Water Department's operating budget.

WRN/vcr



500 West Big Busvor Troy, Michigan 40084 Fast: (246) 524-0851

July 11, 2001

Area code (246)

www.ci.tray.mi.us

Assessing 524-3311

Bidg. Improtons 524-3344

Bidg. Maintenance 524-3368

City Clerk 524-3316

City Manager

524-3330 Community Alloirs

524-1147

Engineering 524-3383

Figures 524-3411

Fire-Administration 524-3419

Hunga Resources

524-3339 Internation Services

Internation Service 619-7279

619-7279 Law

Library 524-3545

Purks & Recreation 524-3464

Planning 524-3364

524-3320

Police-Administration 524-3443

Public Works 524-3370

trarchaning 524-3338

Real Ketate & Development 524-3498

Tressurer 524-3334

General Information 524-3300

East Jordan Iron Works

13001 Northend Oak Park MI 48237 ATT: Stephen E. Terry Fax: 1-248-693-4542

On October 16, 2000, the City of Troy entered into contract #20000380OB with East Jordan Iron Works to provide East Jordan Hydrant and Valve Repair Parts to the City of Troy. This contract contained an option to renew for one additional year at the same prices, terms and conditions as the original contract.

Please fax me at 248-524-3520 to let us know if East Jordan Iron Works wishes to extend the contract through October 2002 or does not wish to extend.

If you have any questions please call Vicki Richardson at 248-524-3501.

Thank you, Vicki Richardson

Administrative Aide

Department of Public Works

YES / NEW DISC. 40% East Jordan DOES wish to extend the contract

#20000380OB.

#20000380OB

East Jordan does not wish to extend the contract

Company Representative

STEPHEN E. TERRY

To strengthen and promote cities as centers of opportunity, leadership, and governance.



1301 Pennsylvania Ave., N.W. Washington, D.C. 20004-1763

202-626-3000 Fax: 202-626-3043

of Cities

Internet: www.nlc.org

2001 Officers

President
Dennis W. Archer
Mayor, Detroit, Michigan

First Vice President Karen J. Anderson Mayor, Minnetonka, Minnesota

Second Vice President John DeStefano, Jr. Mayor, New Haven, Connecticut

> Immediate Past President Bob Knight Mayor, Wichita, Kansas

> > Executive Director Donald J. Borut

August 17, 2001

MEMORANDUM

To:

City Clerks of Direct Member Cities

From:

Donald J. Borut, Executive Directon

Subject:

Voting and Alternate Voting Delegates, Annual Congress of Cities,

Lee ! Horal

December 4-8, 2001, Atlanta, Georgia

DUE: OCTOBER 5, 2001

The National League of Cities' Annual Business Meeting will be held on Saturday, December 8, 2001, at the Congress of Cities in Atlanta, Georgia. Under the Bylaws of the National League of Cities, each direct member city is entitled to cast from one to 20 votes, depending upon the city's population, through its designated voting delegate at the Annual Business Meeting. The table on the reverse side of this memorandum shows the breakdown of votes by population categories. This is the last year NLC will be using the 1990 population figures both for the dues your city paid this year and to determine the votes for your city.

Please inform your Mayor and your city elected officials of this request for voter designation, so they can make these decisions according to your city's established procedures.

To be eligible to cast a city's vote(s), each voting delegate and alternate voting delegate must be designated by the city using the attached credentials form that will be forwarded to NLC's Credentials Committee. *NLC's Bylaws expressly prohibit voting by proxy*. Thus, the designated voting delegate(s) must be present at the Annual Business Meeting to cast the city's vote(s).

In mid November, NLC will send a special edition of the *Policy Informer* summarizing proposed *National Municipal Policy* amendments and proposed resolutions. This information should be shared with your voting delegation.

To establish your city's credentials and facilitate preparation of your voting delegate(s) for the Congress of Cities, we ask that you return the completed form to NLC on or before **October 5, 2001**. Please follow the instructions for filling out the form. A pre-addressed return envelope is attached. Please make a copy of the form for your own files. If you have any questions, please contact Keith Kirk at (202) 626-3176.

Enclosure

F-6

Past Presidents: Clarence E. Anthony, Mayor, South Bay, Florida • Glenda E. Hood, Mayor, Criando, Florida • William H. Hudnut, Ill, Councilman, Village of Chevy Chase, Maryland • Sharpe James, Mayor, Newark, New Jersey • Brian
J. O'Neill, Councilman, Fhiladelphia, Pennsylvania • Cathy Reynolds, Councilwoman-at-Large, Derwer, Colorado • Directors: Jerry Bamberger, Commissioner, Covington, Kentucky • Kenneth Barr, Mayor, Fort Worth, Texas • Robert Bartlett,
Mayor, Monrovia, California • Joseph Brooks, Council Member, Richmond, Virginia • Threet W. Brown, Councilman, East Point, Georgia • Charles J. Canfield, Mayor, Rochester, Minnesota • A. Everette Clark, Mayor, Marion, North Carolina
• Gwyndolen Clarke-Reed, Commissioner, Deerfield Beach, Florida • Joel Cogen, Executive Director, Connecticut Conference of Municipalities • Neil Dillard, Mayor, Carbondale, Illinois • William 6, Dressel, Jr., Executive Director, Michigan Municipal League • Michael A. Guida, Mayor, Dearborn, Michigan • Larry Haler, Council Member, Richland, Washington • John Heilman, Councilmember, West Hollywood, California • Joseph Hilson, Mayor Pro Tem, Hayward,
California • Eddie A. Holloway, Councilmember, Hettiesburg, Mississippi • Joycelyn V. Johnson, Alderman, Winston-Salem, North Carolina • Conrad Lee, Councilmember, Bellevue, Washington • Ingrid Lindemann, Councilmember, Bellevue, Washington • Ingrid Lindemann, Councilmember, Missouri Municipal League • Bory, Council Member, Rea, California • Joe
Pisciotte, Council Member, Wichita, Kansas • Luis Quintana, Council Member At Large, Newark, New Jersey • Kevin C. Ritchie, Executive Director, Alaska Municipal League • Bruce Tobey, Mayor, Barse, Harsy, Mayor, Washington, DC • Cody Williams, Councilmember, Proenix, Arizona • Harry Wilson, Mayor, Grandview, Missouri • Mark Worrell,
Mayor Pro Tem, Monroe, Michigan

NATIONAL LEAGUE OF CITIES

ANNUAL CONGRESS OF CITIES

Number of Votes - Direct Member Cities

Article IV, Section 2 of NLC's Bylaws specifies as follows the number of votes that each member city of the National League of Cities is entitled to cast at the Annual Congress of Cities:

CITY POPULATION (*per 1990 census)	NUMBER OF VOTES
Under 50,000	1 vote
50,000 - 99,999	2 votes
100,000 - 199,999	4 votes
200,000 - 299,999	6 votes
300,000 - 399,999	8 votes
400,000 - 499,999	10 votes
500,000 - 599,999	12 votes
600,000 - 699,999	14 votes
700,000 - 799,999	16 votes
800,000 - 899,999	18 votes
900,000 and above	20 votes

Notes: Member cities are required by the Bylaws to cast unanimous votes.

This is the last year NLC will be using 1990 populations both as the basis of dues your city paid for 2001 and for the city's voting entitlement. The 2000 census figures will be utilized for both purposes beginning in 2002.

	FOR	OFFICE USE ONLY	경기 등 기계 등 경기 등 경기 등 생각 기계 등 기계
City Code:	National 1301 Per		Chair, Credentials Committee National League of Cities 1301 Pennsylvania Avenue, NW, Suite 550 Washington, DC 20004
e official voting delegate and	alternates for the City	y of	a
FOR OFFICE USE ONLY Advance Cred On-site Cred	VOTING DELEGATE		FOR OFFICE USE ONLY VOTING CARD ISSUED TO
Record ID#			Signature
NAME		TITLE	
CITY		STATE	
FOR OFFICE USE ONLY			FOR OFFICE USE ONLY
dvance Cred			Advance Cred
Record ID#			Record ID#
	ALTERNATE	VOTING DELEGATE	
VAME	TITLE	3. NAME	TITLE
E: Each direct member city is entitled based on the city's population as PLEASE DO NOT FILL IN SHADI Please type or print your city name Please type or print the name, title	determined in the 1990 Cens ED AREA. THIS IS FOR NL e in the space provided.	sus. .C OFFICE USE ONLY.	STATE es. The number of votes that can be cast is

Date:_

Title:

Signed by:

DATE: September 4, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

William Need, Public Works Director

Mark Stimac, Director of Building and Zoning

SUBJECT: Proposed Change to Delete Chapter 81 of the City Code

Relating to the Moving of Houses

RECOMMENDATION

Staff recommends that the current text of Chapter 81 of the Troy City Code be deleted in its entirety.

BACKGROUND

Chapter 81 of the Troy City Code regulates the moving of houses and structures into and within the City of Troy. These standards were developed in the mid-sixties when numerous homes were moved into the city from areas where freeway construction was displacing existing homes. Today the requirements of Chapter 81 are most commonly applied to pre-manufactured homes that are built at some factory and brought out to a site in one or more sections. Concerns regarding this type of construction, although covered under the scope of the Chapter, are more accurately addressed in other building and zoning regulations that are currently in place. The requirements found within the current text of Chapter 81 become a significant burden for the applicant in seeking approval for the moving of a structure onto a site in Troy.

In addition, the existing language regarding permits, insurance, and fees, is inconsistent with current practice, staffing, costs and liability concerns. Staff is proposing to bring back some of this language, in an updated form, as a revision to Chapter 33 of the City Code at a future date.

We will be happy to provide any additional information regarding this matter if you desire.

CHAPTER 81

MOVING OF BUILDINGS

8.201 Applications

- Bond No person shall move, transport, or convey any building, machinery, truck or trailer more than (8) feet wide, or higher than (13) feet, 6 inches, above the surface of the roadway, into, across or along any street, or other public place in the City, without first having filed an application therefore, and having obtained a permit to do so from the Department of Public Works. Application for a building moving permit shall be accompanied by a cash bond in the sum of \$500.00 to indemnify the City against all loss, damage, expense, or claims by any public utility or property owner which might arise during the course of the moving of such building. In addition, the applicants shall file written clearances from the light, telephone, gas, and water utilities, stating that all connections have been properly cut off and, where necessary, all obstructions along the proposed route of moving will be removed without delaying moving operations. Clearance shall be obtained from the Police Department approving the proposed route through the City streets and the time of moving.
- (2) Insurance At the time of submitting said application, the applicant shall file with the City a liability insurance policy in the amount of \$100,000.00 for injury to one person and \$300,000.00 for injury to more than one person and property damage insurance in the amount of \$25,000.00.
- (3) Attached to said application the applicant shall submit a diagram of the proposed route of travel and shall specify the time of such travel.

8.202 Fees.

- (1) All applications shall be accompanied by a permit fee of \$50.00 for each building, more than (8) feet wide or higher than (13) feet 6 inches above the surface of the roadway. The purpose of such fee shall be to indemnify the City for the cost of the Police Department and the Department of Public Works due to the moving operations.
- (2) A permit fee of \$50.00 shall be submitted with all applications for the moving of any building into, or within, the City, having more than 500 square feet of floor area. The purpose of said fee shall be for the reimbursement to the City for the costs to the Building Department required by necessary preliminary inspections. Payment of said fee is not required for the moving of structures less than 500 square feet in area. However, such structures must meet all requirements of all applicable Codes and all other sections of this Chapter.
- 8.203 Permits. The Department of Public Works shall not issue a moving permit for structures until notice is received from the Building Department stating that the applicant has met the following conditions:

- (1) All permits required by the Building, Electrical, Heating, and Plumbing Codes of the City of Troy shall have been secured, which permits shall not be issued until the Building to be moved has been inspected by the Building Inspection Department and a determination has been made that said building complies with, or will comply with, all requirements of all applicable Codes of the City of Troy when relocated.
- (2) For structures over 500 square feet, the applicant shall have secured a statement containing signatures of 75% of the owners of record of properties within 500 feet from the perimeter of the proposed site to which a residential structure is to be moved, consenting to the relocation of said residence. This statement shall include the sworn affidavit of the applicant verifying the signatures thereon that the owners signing same have seen the pictures attached thereto and that these are the signatures of said owners.
- (3) Pictures of the home or building to be moved into the City and completion plans showing conformity to the surrounding neighborhood shall have been submitted to the Building Department.
- (4) A \$1,000.00 cash bond shall have been posted to assure completion of the building for occupancy within six (6) months from the date of the application and to assure compliance with the Building, Electrical, Heating, and Plumbing Codes of the City and all provisions of this Ordinance. Said sum shall be forfeited to the City for failure to so comply, or returned to applicant upon final inspection. This provision, however, is not to be construed as waiving the City's right to proceed under the penalty provisions of the Code of the City of Troy.

All such permits shall be revocable by the Department of Public Works for failure to comply with this Chapter, or rules and regulations adopted pursuant hereto, and the lawful orders of the Department of Public Works, and shall be valid only for the period of time endorsed thereon. Application for a permit under the provisions of this Chapter shall be deemed an agreement by the applicant to promptly complete the work permitted, observe all pertinent laws and regulations of the City in connection therewith, reimburse the City for repair of all damage done to the street surface or to trees on private or public lands, and protect and save harmless the City from all damages or actions at law that may arise or may be brought on account of injury to persons or property resulting from the work done under the permit or in connection therewith.

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Asst. City Manager/Services

Steven J. Vandette, City Engineer

SUBJECT: Public Hearings for Wetlands and Natural Features Ordinances

At the Council Study Meeting on Monday, August 27 2001 two public hearings were set to receive comments on the proposed Wetlands and Natural Features ordinances. The location for the public hearings will be at Troy Athens High School. Public hearing "A" set for 7:30 pm will be for owners of **platted** property. Public Hearing "B" set for 8:30 pm will be for owners of **non-platted** property. Following mailing of meeting notices and receipt of responses from those planning on attending, we will determine if the location needs to change to a smaller location. We anticipate that if we change the location the hearings would be held in either the Community Center or Council Chambers. Announcement of the final location and times for the public hearings will be done by mail to those who returned a response card, published in the Troy Eccentric, posted in City Hall and on the city's web site.

With input from staff and the Planning Commission, the Natural Features Map (including wetlands) has been reviewed and revised for completeness and refined since it was first received from our consultants in June. Drains and streams not visible on the aerial maps were added based on the latest County Drain maps, and some field work to verify staff's knowledge of natural features in the city. Also, different color schemes have been used and an overlay pattern added to allow the presence of other features such as wetlands and drains within woodland areas to be seen more clearly.

Despite these efforts to make the map as readable, complete and accurate as possible, it cannot be used as the primary means to legally enforce the proposed ordinances. The map is simply a reference tool to provide an overview of potential wetlands and other natural features within the City. For Troy it is the starting point. If these ordinances are enacted, the map will be updated continuously as new information and field work provide the impetus for map revisions.

The first actual use of the map was to identify all properties that may contain natural features. This was necessary so as to individually notify the owners that the proposed ordinances may impact their property and that public hearings with the Planning Commission to receive their comments has been scheduled. The rest of the community will be notified of the public hearings through the normal meeting notice process.

Attached are two letters that have been prepared for notifying property owners of the public hearings. One letter is directed to owners of vacant, undeveloped and un-platted property that would likely be affected by the proposed ordinances. The letter to these property owners clearly stated that their property will likely be affected. The second letter

The Honorable Mayor and City Council August 29, 2001 Page 2 of 2

is directed to all other properties that are platted (developed or undeveloped) and developed but un-platted. Since the properties in this category may or may not be affected by the ordinance (platted property, such as within a single family subdivision, is exempt from the proposed ordinances unless proposed for development other than as originally platted) the letter indicates that the property <u>may</u> be affected by the proposed ordinances. Both letters are being sent with an attached, postage paid response card for property owners to indicate whether they plan to attend the public hearing, which hearing and how many plan on attending. The mailing of the notices and availability of the Natural Features Map in the Engineering Department is scheduled for Tuesday, September 11, 2001. The requested "Respond By" date on the public hearing response card is September 24, 2001.

CITY OF TROY ENGINEERING DEPT 500 W BIG BEAVER TROY MI 48084

PRESORTED FIRST CLASS MAIL U.S. POSTAGE PAID TROY,MI 48084-5285

PERMIT NO. 19



OWNER OF PARCEL 882004132013 **697 ANDREW TROY MI 48098**



BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 2

TROY, MICHIGAN

POSTAGE WILL BE PAID BY ADDRESSEE

CITY OF TROY 500 WEST BIG BEAVER ROAD TROY MI 48084-9884 NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES



hindhalallaalalalalalalalalalalalallaall

Dear Property Owner,

This letter is to inform you that your **platted property** may be affected by the proposed City of Troy Wetlands and Natural Features ordinances.

City Council directed staff to draft these ordinances to protect certain natural features such as woodlands and watercourses and to protect wetlands between two and five acres in size. These smaller wetlands, less than five acres, are currently not regulated by the state except where they are close to a lake or stream.

As part of the proposed ordinances, a map showing the approximate locations of wetlands and natural features was prepared to assist city staff, developers and property owners in locating areas that may contain wetlands and/or other natural features. This map was used along with aerial and lot base maps to determine that your property may be affected by the proposed ordinances. However, if this property is a platted lot, such as within a single family subdivision, the proposed ordinances would not affect your property if it is used as originally platted, for a single family home. In these instances, the proposed ordinances do not apply to lots platted prior to the adoption of the ordinances.

Two public hearings to receive comments on these ordinances are scheduled before the City Council on October 9, 2001. As a property owner whose property may be affected, you are encouraged to participate and voice your comments or concerns regarding these new ordinances. If you wish to participate, please fill out and mail the enclosed pre-paid response card. The public hearings will be held in the Troy Athens High School auditorium, 4333 John R Rd., as follows:

- A. For property owners of <u>platted</u> parcels, 7:30 to 8:30 PM, Tuesday, October 9th.
- B. For property owners of non-platted lots from 8:30 to 10:00 PM, Tuesday, October 9th.

A copy of the proposed Wetlands and Natural Features ordinances and answers to frequently asked questions may be obtained in the Engineering Department or viewed on line at the City of Troy, Engineering Department's web site www.ci.troy.mi.us/engineering.

Should you have any questions concerning these ordinances, please feel free to contact Tracy Slintak, Environmental Specialist; Neall Schroeder, Civil Engineer; or Mike Bastien, Engineering Assistant with the Troy Engineering Department at 248-524-3383.

Sincerely,

Steven J. Vandette, P.E. City Engineer

PLEASE CUT ALONG LINE AND RETURN

PUBLIC HEARING RESPONSE CARD

PUBLIC HEARING "A":	YES, I WILL ATTEND ON OCT. 9, 2001 AT 7:30 PMNUMBER OF PEOPLE ATTENDING
PUBLIC HEARING "B": PLEASE RESPOND BY: 9/24/2001	YES, I WILL ATTEND ON OCT. 9, 2001 AT 8:30 PM NUMBER OF PEOPLE ATTENDING
FULL NAME:	
ADDRESS:	
VOILWILL DE CONTACTET	THE THE LOCATION FOR THE BURL IC HEADING OHANGES

Dear Property Owner,

This letter is to inform you that your **non-platted property** will likely be affected by the proposed City of Troy Wetlands and Natural Features ordinances.

City Council directed staff to draft these ordinances to protect certain natural features such as woodlands and watercourses and to protect wetlands between two and five acres in size. These smaller wetlands, less than five acres, are currently not regulated by the state except where they are close to a lake or stream.

As part of the proposed ordinances, a map showing approximate locations of wetlands and natural features has been prepared to assist city staff, developers and property owners in locating areas that may contain wetlands and/or other natural features. This map was used along with aerial photos and lot base maps to determine that your **non-platted property** will likely be affected by these ordinances.

Two public hearings to receive comments on these ordinances are scheduled before the City Council on October 9, 2001. As a property owner whose property will likely be affected, you are encouraged to participate and voice your comments or concerns regarding these new ordinances. If you wish to participate, please fill out and mail the enclosed pre-paid response card. The public hearings will be held in the Troy Athens High School auditorium, 4333 John R Rd., as follows:

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Should you have any questions concerning these ordinances, please feel to contact Tracy Slintak, Environmental Specialist; Neall Schroeder, Civil Engineer; or Mike Bastien, Engineering Assistant with the Troy Engineering Department at 248-524-3383.

Sincerely,

Steven J. Vandette, P.E. City Engineer

PLEASE CUT ALONG LINE AND RETURN

PUBLIC HEARING RESPONSE CARD

	PUBLIC HEARING "A":	YES, I WILL ATTEND ON OCT. 9, 2001 AT 7:30 PM NUMBER OF PEOPLE ATTENDING
PLEASE RE	PUBLIC HEARING "B": SPOND BY: 9/24/2001	YES, I WILL ATTEND ON OCT. 9, 2001 AT 8:30 PM NUMBER OF PEOPLE ATTENDING
FULL NAMI	E:	
ADDRESS:		

JUNE 19, 2001

The Chairman, Christopher Fejes, called the meeting to order at 7:30 P.M., on Tuesday, June 19, 2001.

PRESENT: Kenneth Courtney ALSO PRESENT: Mark Stimac

Bob Davisson
Pam Pasternak

Michael Hutson Matthew Kovacs Mark Maxwell David Waller

Christopher Fejes

ABSENT: Marcia Gies

The Building Department had received a letter from Mrs. Gies stating that she would be out of town for this meeting.

Motion by Courtney Supported by Maxwell

MOVED, to excuse Mrs. Gies from this meeting as she is out of town.

Yeas: 6 – Fejes, Hutson, Kovacs, Maxwell, Waller, Courtney

MOTION TO EXCUSE MRS. GIES CARRIED

ITEM #1 - APPROVAL OF MINUTES OF MEETING OF MAY 15, 2001.

Motion by Courtney Supported by Maxwell

MOTION to approve the minutes of the meeting of May 15, 2001 as written.

Yeas: 5 – Hutson, Kovacs, Maxwell, Courtney, Fejes

Abstain: 1 – Waller

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF MAY 15, 2001 AS WRITTEN.

ITEM #2 – VARIANCE REQUESTED. MR. DAN SIMIONESCU, 691 OTTAWA, for relief of the Zoning Ordinance to permit 2960 square feet of accessory buildings where 1866 square feet are permitted by Section 40.57.04 and for approval to construct a barn per Section 40.57.10.

ITEM #2

Mr. Stimac explained that Mr. Simionescu is requesting relief of the Zoning Ordinance to construct a barn. The plans submitted indicate a proposed 1520 square foot barn located behind an existing 1440 square foot detached garage that will result in 2960 square feet of accessory buildings. Section 40.57.04 limits the size of accessory buildings on a parcel to 600 square feet or one-half the ground floor area of the main building whichever is greater. Because the main building on this site covers 3732 square feet, accessory buildings are limited to 1866 square feet. Also, Section 40.57.10 required Board of Zoning Appeals approval for the construction of a barn.

This item first appeared before the Board of Zoning Appeals at the meeting of May 15, 2001 and was tabled until this meeting to allow the Board members to take a closer look at this property to determine the hardship. This tabling also was to allow the petitioner to determine if he could decrease the size of his request and to allow him to present to the Board an interior layout showing why a building of this size is required.

Mr. Simionescu stated that his property is more than 2-acres and requires a large amount of lawn equipment for its maintenance. He further stated that he has a trailer, snow blowers and a tractor. He stated that he would also like to be able to use this building to store his hay. Mr. Simionescu also said that due to the placement of this barn it would not be visible to any of his neighbors, and would help to eliminate some of the mud that is created by the pen that he now keeps his animals in. Mr. Simionescu brought in pictures and a layout of the interior of the proposed barn. He stated that he had tried to work out a request for a smaller variance, but was unable to figure out how he could work everything into a smaller building.

Mr. Courtney asked Mr. Simionescu if he presently had two garages and Mr. Simionescu stated that he did. He parked cars in one and used the other for his tractor and in inclement weather, this building was used to house the animals.

Mr. Maxwell asked Mr. Simionescu to describe what kind of animals he had and Mr. Simionescu said that he has a horse, a donkey, two goats and a sheep. Mr. Maxwell then asked if Mr. Simionescu thought he could care for the animals properly without this building, and Mr. Simionescu stated that he feels they would get the best care if he had somewhere to house them in both the extreme heat and extreme cold.

There are four (4) written approvals on file. There are no written objections on file.

Mr. Hutson stated that he did not feel there was a physical hardship with the land and Mr. Simionescu stated that he couldn't get full use of this property without this variance. Mr. Maxwell stated that he feels that this is a very unique situation and that Mr. Simionescu's property can easily support this extra accessory building. Mr. Fejes stated that he had hoped that Mr. Simionescu would have come back to the Board with a request for a lesser variance request and Mr. Simionescu said that he had attempted

ITEM #2

to develop a plan asking for a smaller building, however, he feels that he needs this size of building to store everything he has.

Motion by Maxwell Supported by Waller

MOVED, to grant Mr. Dan Simionescu relief of the Zoning Ordinance to construct an accessory building that will result in a total of 2960 square feet of accessory buildings where 1866 square feet are permitted and relief of the Zoning Ordinance to construct a barn.

- Property is large enough to support this building.
- Variance would not have an adverse effect on surrounding property.
- Barn would not be visible to surrounding neighbors.
- This variance is not contrary to public interest.

Yeas: 4 – Kovacs, Maxwell, Waller, Fejes

Nays: 2 – Hutson, Courtney

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUESTED. MR. MARC DYKES REPRESENTING HOME PROPERTIES, 2003-2281 LOVINGTON for relief of the Zoning Ordinance to construct carports at the Canterbury Square Apartments at the property line where a six foot setback is required by Section 40.57.05.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct carports at Canterbury Square. Section 40.57.05 requires a 6' minimum setback from an accessory building to any side or rear property line. The site plan submitted indicates the proposed carports constructed right up to the north and east property lines.

Mr. Marc Dykes representing Home Properties was present and stated that they are attempting to update this property and also provide amenities for the people who rent the apartments at this location. Mr. Dykes stated that they plan to have the carports back up to the existing 5' high screening wall, which will help to improve the appearance of these carports. Mr. Dykes further stated that the property to the north is currently zoned multi family.

Mr. Hutson asked Mr. Dykes if there was parking along the front of the apartments and if carports are constructed in this area. Mr. Dykes stated that they did not want to put carports in the front of the apartments in order to preserve the look of the buildings, as **ITEM #3**

well as to keep the landscaping intact. Mr. Hutson then asked what the physical characteristics of the property were, that would require the carports to be constructed in

this area. Mr. Dykes stated that they wished to use the screening wall as a visual screen as well as a back wall for the carports. He further stated that there are not any constraints except for the fact that they would like to keep parking open in the front of the buildings.

Mr. Courtney asked if the carports were moved 6' back if that would place them in the middle of the drive and Mr. Dykes stated that this would make the drive smaller and a large amount of asphalt and cement would have to be moved. Mr. Stimac stated that the minimum requirement for a two-way drive is 24'. Mr. Waller asked if the carports did not back up to the concrete wall how would this extra space be filled in. Mr. Dykes said that presently the asphalt goes right to the concrete wall and they were hoping that the cement wall would act as the back of the carport.

Mr. Maxwell asked what impact the carports would have on neighboring property and Mr. Dykes stated that he felt it would be minimal. Mr. Dykes further stated that once you got above the third floor of the apartment building, you would probably be able to see the tops of the carports. Mr. Dykes also said that the property along Milverton is pretty well wooded and feels that this will also act as screening.

Mr. Waller advised Mr. Dykes that the City is presently looking into acquiring the land to the east to develop a subdivision park and Mr. Stimac stated that City Council had recently passed a resolution directing the City to acquire this land for a park. It was suggested that perhaps Mr. Dykes would like to wait for the request of a variance on the east side of the property, until a determination has been made as to what will happen to this property.

Mr. Kovacs asked Mr. Dykes if he had future plans for this property and Mr. Dykes stated that Home Properties has only owned this parcel of land approximately four years and they are trying to do many exterior improvements to the building. They would like to do the carports on the north side of the property now and on the east side of the property sometime in the future. Mr. Stimac explained that the Administration had decided that it would be easier for Mr. Dykes to come before the Board and ask for a variance for all the property at one time, rather than to come back to the Board on a reoccurring basis asking for a variance for each area. Mr. Stimac further explained that based on the site plan submitted by Mr. Dykes the areas marked 1, 2, and 5 do not require a variance. The areas marked 3 and 4 on the north side of the property require a variance as well as the areas marked 6 and 7 on the east side of the property.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

ITEM #3

There is one written approval on file with the stipulation that he would approve the request for the variance if a fence or barrier were installed along the wooded area to help keep the litter from the apartments to a minimum.

There are no written objections on file.

Mr. Hutson brought up the fact that recently the City had changed the Ordinance to require landscaped berms in lieu of screening walls and wondered if a berm would be more appropriate. Mr. Stimac stated that this was applicable mainly where Churches abuts to single family residential zoned property and that a 4'-6" wall would still be required for property that is zoned multi-family.

Motion by Waller Supported by Courtney

MOVED, to grant Mr. Marc Dykes, representing Home Properties, a variance for relief of the Zoning Ordinance to construct carports at the Canterbury Square Apartments at the property line on the north side, depicted on the site plan submitted as areas 3 and 4.

- The location of the existing site improvements make compliance with the requirements overly burdensome.
- Variance is not contrary to public interest.
- Petitioner to become fully aware of plan for the property on the east side of this complex.
- Variance will not have an adverse effect on surrounding property.
- Variance will not establish a prohibited use.

Yeas: 5 – Kovacs, Maxwell, Waller, Courtney, Fejes

Nays: 1 – Hutson

MOTION TO GRANT VARIANCE FOR AREAS ON THE NORTH PROPERTY LINE, DESIGNATED AS 3 AND 4 ON SITE PLAN CARRIED

The petitioner withdrew his request for a variance on areas depicted as 6 and 7 on the site plan submitted. The Board took no further action.

ITEM #4 – VARIANCE REQUESTED. MR. JOHN ARDNER, 2387 TOPAZ for approval to construct a freestanding gazebo as required by Section 40.57.10.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a freestanding gazebo. Section 40.57.10 of the Zoning Ordinance required Board of Zoning Appeals approval for construction of a gazebo. Mr. Stimac further **ITEM** #4

stated that the petitioner is not required to meet the hardship requirements for a gazebo.

Mr. Ardner was present and stated that he and his wife have lived in the Troy area for over twenty (20) years and his wife would like a gazebo in the yard.

Mr. Maxwell asked if there were any other accessory buildings on the property and Mr. Ardner stated that there were not any other buildings on this property.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

Motion by Maxwell Supported by Courtney

MOVED, to grant Mr. John Ardner, 2387 Topaz approval to construct a freestanding gazebo as required by Section 40.57.10.

- This variance will not cause the property to be overbuilt.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

Yeas: 6 – Waller, Courtney, Fejes, Hutson, Kovacs, Maxwell

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUESTED. MR. JOHN BEDNARSKI, 456 STARR for relief of the Zoning Ordinance to construct a 750 square foot detached garage where 621 square feet are permitted by Section 40.57.04.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a detached garage. Section 40.57.04 limits the area of all accessory buildings on a parcel of land to 600 square feet or one-half the ground floor area of the main building whichever is greater. The plans submitted indicate a 750 square foot detached garage. The footprint of the house is 1,242 square feet, which limits the size of accessory buildings on this site to 621 square feet.

Mr. John Bednarski was present and stated that the reason he would like to construct this size garage is to park two vehicles inside as well as keep his lawn equipment and other tools. He stated that this home has a basement that is only 200' square feet with **ITEM #5**

a height clearance of approximately 5'-11". Mr. Bednarski further stated that there is only enough room for a laundry area, a furnace and his water heater. He said that he would like to have extra room for storage. Mr. Bednarski also said that he had spoken to his neighbors and they indicated that they did not object to this variance.

Mr. Waller asked how many people live in the home and Mr. Bednarski replied that there are three adults and each has their own car.

Mr. Fejes asked what recourse Mr. Bednarski would have if this variance were not granted and Mr. Bednarski stated that he probably would not build anything. Mr. Bednarski further stated that he had thought of attaching the garage to the home, however, he was afraid that too many additions would not make this home aesthetically pleasing. Mr. Bednarski also stated that if he attached the garage, he would have to remove an existing sunroom. Mr. Bednarski further explained that eventually he would like to build a new home on the site.

Mr. Courtney asked Mr. Bednarski why he felt he needed the depth of the garage to be 32'. Mr. Bednarski explained that this would allow him to park his pickup truck as well as his work van, and still have extra room for the storage of lawn equipment as well as numerous tools that he owns.

Mr. Maxwell asked if attaching the garage to the house would improve the area and Mr. Bednarski stated that he would have to remove a number of very large mature trees. Mr. Bednarski further stated that his home was originally built in 1928 and added on to in 1968. Mr. Bednarski is concerned that attaching the garage may give the appearance of the home being chopped up. Mr. Kovacs asked if the proposed location of the garage would require Mr. Bednarski to remove a tree that is located very close to it. Mr. Bednarski replied that he had measured the area and was quite sure the garage would not endanger this tree.

The Chairman opened the Public Hearing.

Mr. Kurt Hahn of 473 Starr was present and stated that he approves of this variance.

No one else wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There is one (1) written objection on file.

Motion by Maxwell Supported by Kovacs

ITEM #5

MOVED, to grant Mr. John Bednarski, 456 Starr relief of the Zoning Ordinance to construct a 750 square foot detached garage where 621 square feet are permitted by Section 40.57.04.

- The lot is larger than the standard lot in this area.
- The existing home has little usable basement area.
- Variance request is reasonable.
- This variance would not have an adverse effect on surrounding property.
- This variance is not contrary to public interest.
- Conforming is unnecessarily burdensome.

Yeas: 5 – Fejes, Hutson, Kovacs, Maxwell, Waller

Nays: 1 – Courtney

MOTION TO GRANT VARIANCE CARRIED

ITEM #6 – VARIANCE REQUESTED. MR. & MRS. JOE SANDOVAL, 5338 CROWFOOT, for relief of the Zoning Ordinance to construct a sunroom addition with a 32.8' rear yard setback where 40' is required by Section 30.10.04.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a sunroom addition. Section 30.10.04 requires a 40' minimum rear yard setback in the R1C Zoning District. The site plan submitted indicates a 32.8' rear yard setback to the proposed sunroom.

Mr. Bob Pelzel, of Temo's Sunrooms was present representing the Sandoval's and stated that this sunroom was going to be constructed of 70% glass in an effort to keep the impact on any neighboring property to a minimum. Mr. Pelzel went on to say that there are a lot of trees on the property and because of this there are a lot of bugs. Mr. Pelzel stated that the Sandoval's would like to be able to sit outside and enjoy their property. Mr. Pelzel further stated that there is a school behind this property and that this lot is only 125' deep.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are four (4) written approvals on file. There are no written objections on file.

Motion by Waller Supported by Hutson

ITEM #6

MOVED, to grant Mr. and Mrs. Sandoval relief of the Zoning Ordinance to construct a sunroom addition with a 32.8' rear yard setback where 40' is required by Section 30.10.04.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- The property immediately behind is a school site.
- Position at center of home minimizes impact on adjacent homes.
- Addition is 70% glass.
- This variance will not establish a prohibited use.

Yeas: 6 – Courtney, Fejes, Hutson, Kovacs, Maxwell, Waller

MOTION TO GRANT VARIANCE CARRIED

ITEM #7 – VARIANCE REQUESTED. CONSERVATIONS UNLIMITED, 3513 SHERWOOD, for relief of the rear yard setback to construct a sunroom with a 33'-6" rear yard setback where a 35' rear yard setback is required by Section 34.20.03.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a sunroom addition. Section 34.20.03 requires a 35' minimum rear yard setback in the R-1C Zoning District in subdivisions developed using the open space option. The site plan submitted indicates a rear yard sunroom addition with a proposed 33'-6" rear yard setback.

Mr. Robert Clark, of Conservations Unlimited was present and stated that this was an all glass structure which would be used as an enclosure for a hot tub. Mr. Clark also stated that they could not put it in any other location because there is a doorway located on one side of the proposed location, and in order to move this doorway they would then have to take down kitchen cupboards. Mr. Clark further stated that there is a large wooded area behind the home. Mr. Stimac explained that the area to the east is reserved as a park site, which is part of the subdivision.

Mr. Courtney asked if there was any way they could cut one foot off of this structure and Mr. Clark stated that he had planned it as close to the chimney as he could and would not be able to put it in another location.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

ITEM #7

Motion by Maxwell Supported by Courtney

MOVED, to grant Conservations Unlimited relief of the rear yard setback to construct a sunroom with a 33'-6" rear yard setback where a 35' rear yard setback is required by Section 34.20.03.

- Variance request is minimal.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- The property to the rear is a common park area.

Yeas: 6 – Fejes, Hutson, Kovacs, Maxwell, Waller, Courtney

MOTION TO GRANT VARIANCE CARRIED

Mr. Hutson stated that his firm represented the petitioner for Item #8, Mr. McComb, and suggested that he be excused.

Motion by Maxwell Supported by Hutson

MOVED, to excuse Mr. Hutson from hearing Item #8 due to the appearance of a conflict of interest.

Yeas: 4 – Kovacs, Maxwell, Waller, Fejes

Nays: 1 – Courtney

MOTION TO EXCUSE MR. HUTSON CARRIED

ITEM #8 – VARIANCE REQUESTED. MR. BOB MCCOMB, 1343 BURNS (**PROPOSED ADDRESS**), for relief of the Zoning Ordinance to divide a parcel of property resulting in a 75.55' wide parcel where 76.5' width is required by Sections 34.10.00 and 30.10.03.

Mr. Stimac explained that the petitioner recently developed a five lot residential subdivision. Based upon the size of the original parcel, there was not enough land to create six lots. Two of the lots along the north side of the subdivision were platted at the minimum lot width while the westernmost lot was platted with all of the extra land. The petitioner is now requesting to divide that parcel of land into two buildable sites. Utilizing the lot averaging provisions of Section 34.10.00 of the Troy Zoning Ordinance, each lot in the R1C Zoning District requires 76.5' of lot width. The site plan submitted indicates that the proposed split would result in one parcel having 75.55' of lot width.

ITEM #8

Mr. Maxwell asked if the lot were split would it cause a drainage problem and Mr. Stimac stated that the coverage factor for retention design as part of the subdivision is 30% whether it is one lot or two. Mr. Courtney asked Mr. Stimac who subdivided this parcel and Mr. Stimac replied that it was the current petitioner.

Mr. McComb was present and stated that they had changed the drainage on this site due to the fact that there was a pond at the back of the property. Mr. McComb also said that they went down the property lines and put in catch basins for each piece of property. He further stated that if there is standing water at the back of the property, it may be due to the ground settling.

Mr. McComb also said that he had attempted to purchase more land to make this lot comply with the Ordinance, however, the owners of the adjacent property did not wish to

sell. Mr. McComb further stated that this is a high-density subdivision and hopefully part of the vacant property would be used as a road easement. Mr. McComb feels that this variance would be in keeping this lot in line with other lots in the area. Mr. McComb also said that if the variance was not granted, they would end up with four lots that are 76.5' wide and one lot that would end up to be 150' wide. He does not feel that this would be consistent with the other lots in the area.

Mr. Courtney asked if Mr. McComb had gotten as many lots as he could when he was subdividing this lot and Mr. McComb stated that he had. Mr. McComb also said that he had worked very closely with the City, however, he would like this property to yield as many lots as possible. Mr. Courtney asked if Mr. McComb could have made the lots bigger and Mr. McComb again replied that due to the fact that this would result in less density he would say "no". Mr. Courtney then asked when final approval was granted on this subdivision and Mr. Stimac stated that he thought it was back in 1997.

Mr. Kovacs asked if all of these lots were sold and Mr. McComb replied that they were not. Mr. Kovacs asked what type of home Mr. McComb planned to build and he stated that he uses several different plans, but that any of them would fit in the envelope of the proposed property. Mr. Courtney asked if he could have taken any land away from the other lots and Mr. McComb stated that they are at the minimum now. Mr. McComb also stated that the proposed lots exceed the minimum size required by approximately 5,000 square feet. Mr. Kovacs asked that since Burns was a dead end street if Mr. McComb was aware of any plans to add an access road. Mr. Stimac stated that the current zoning is single family and he thought that the property would be developed with a road going out to Wattles.

The Chairman opened the Public Hearing.

Mr. and Mrs. Russell Hadley, 1250 East Wattles, were present and stated that they objected to this variance. Mr. Hadley stated that they were the original owners of this property and had come to the City asking if they could split this parcel into six (6) lots. **ITEM #8**

Mr. Hadley said that someone in the City told them that it could not be done and since they had a child in college, they decided to sell the parcel. They feel that they could have gotten more money for this property, if they would have known that it could be split into six (6) lots.

No one else wished to be heard and the Public Hearing was closed.

There are three written objections on file. There are no written approvals.

Mr. Fejes asked Mr. Stimac if builders received special consideration over landowners and was told that everyone gets the same consideration. Mr. Stimac stated that it was possible that the reason they were told that this parcel could not be split was because they had to plat the area first. Mr. Stimac stated that Mr. McComb was also told that he could not split this property into six lots.

Mr. McComb stated that he felt that he had paid a fair price for the land due to the fact that it was advertised in the paper, and he gave the real estate company the asking price.

Motion by Maxwell Supported by Waller

MOVED, to grant Mr. Bob McComb relief of the Zoning Ordinance to divide a parcel of property resulting in a 75.55' wide parcel where 76.5' width is required by Sections 34.10.00 and 30.10.03.

- Variance request is small.
- Variance is not contrary to public interest.
- The resultant lots exceed the square footage required by more than 50%.

Yeas: 5 – Kovacs, Maxwell, Waller, Courtney, Fejes

Excused: 1 – Hutson

MOTION TO GRANT VARIANCE CARRIED

A ten-minute break was called at 9:50 P.M. The Board of Zoning appeals meeting resumed at 10:00 P.M.

ITEM #9 – VARIANCE REQUESTED. MR. & MRS. JOHN KLEIN, 2833 SUNRIDGE, for relief of the Zoning Ordinance to expand a legal non-conforming structure and construct an addition with a 37.69' rear yard setback and a 5.13' side yard setback where Section 30.10.02 requires a 45' rear yard setback and a 10' minimum side yard setback.

Mr. Stimac explained that the petitioners are requesting relief of the Zoning Ordinance to construct an addition to their home. The permit application indicates a 4.1' side yard setback to the existing home. The permit application further indicates a proposed addition with a 37.69' rear yard setback and a 5.13' side yard setback. Section 30.10.02 requires a 45' rear yard setback and a 10' minimum side yard setback in the R1B Zoning District. The existing structure was built prior to the current setback regulations and therefore is a legal non-conforming structure. However, Section 40.50.04 prohibits expansions to non-conforming structures in a way that increases its non-conformity. Petitioners are asking for approval of the expansion of the non-conforming structure as well as relief of the side and rear setbacks.

Mr. Richard Kalt, Architect representing Mr. and Mrs. Klein was present and stated that basically they wished to enlarge both the kitchen, breakfast nook and family room. Mr. Kalt

stated that this home was built in 1963 and the Klein's' need the extra room to accommodate their growing family. Mr. Kalt further stated that this was a small, irregular shaped lot and they were unable to put this addition straight back. Mr. Kalt said that he had gone through the subdivision and determined that there are only six (6) lots out of 317 that have this type of configuration. Mr. Kalt also said that none of the neighbors have objected to this addition.

Mr. Waller asked how close the next house was to this home and Mr. Kalt stated that it was 20.2'. Mr. Maxwell asked if the addition would be built over the existing slab and Mr. Kalt stated that they plan to take out the slab and construct the addition on a crawl space.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are four (4) written approvals on file. There are no written objections on file.

Motion by Courtney Supported by Maxwell

ITEM #9

MOVED, to grant Mr. and Mrs. John Klein, 2833 Sunridge, relief of the Zoning Ordinance to expand a legal non-conforming structure and construct an addition with a 37.69' rear yard setback and a 5.13' side yard setback where Section 30.10.02 requires a 45' rear yard setback and a 10' minimum side yard setback.

- The lot is small in comparison to other lots in the subdivision.
- Irregular shape of lot makes conforming to the Ordinance unnecessarily burdensome.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

Yeas: 6 – Kovacs, Maxwell, Waller, Courtney, Fejes, Hutson

MOTION TO GRANT VARIANCE CARRIED

ITEM #10 – VARIANCE REQUESTED. MR. ANTHONY LOGUE, 2651 E. SQUARE LAKE, for relief of the rear yard setback to expand a legal non-conforming structure and construct an addition with a 25.1' rear yard setback where Section 30.10.05 requires a 40' rear yard setback.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a second floor addition to an existing residence. The permit application indicates a 25.1' rear yard setback to the existing home. Section 30.10.05 requires a 40' rear yard setback in the R1D Zoning District. Based upon the age of this structure it is classified as a legal non-conforming structure. The plans also indicate a proposed second floor addition that will continue this 25.1' setback. Section 40.50.04 prohibits expansions to non-conforming structures in a way, which increases its non-conformity.

Petitioners are asking for approval of the expansion of the non-conforming structure as well as relief of the rear yard setback.

Mr. Anthony Logue was present and stated that his family has lived in the home for eleven years and he and his wife have three children. Mr. Logue stated that he and his wife would like all of the bedrooms on the second floor. Mr. Logue further stated that with four males in the house he would like to be able to provide his wife with her own bathroom. Mr. Logue also said that he believed this would be the most practical way to design the addition because they could put one bathroom over the existing bathroom and the other over the kitchen area where there is existing plumbing. Mr. Logue also stated that the back of the property has a great number of trees and does not believe this addition would be intrusive to other neighbors.

ITEM #10

Mr. Kovacs asked if he planned to hire a contractor and Mr. Logue said that he did. Mr. Courtney asked if they had looked at the possibility of moving rather than adding on this residence and Mr. Logue stated that they had, however, this home has a lot on the side which he uses for soccer practices as he coaches a soccer team. Mr. Logue further stated that it is very difficult to find a large lot in the City.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written objection on file. There are no written approvals on file.

Mr. Kovacs asked how the property was zoned on the north side of Square Lake and Mr. Stimac stated that this property was zoned Single Family Residential. Mr. Courtney asked how close this home was to the right-of-way on Square Lake and Mr. Stimac stated that it was setback 32.5' from the future 60' right-of-way. Mr. Courtney asked if there were any plans to widen Square Lake beyond the 60' right-of-way and Mr. Stimac replied that he was not aware of any.

Motion by Hutson Supported by Courtney MOVED, to grant Mr. Anthony Logue, 2651 E. Square Lake, relief to expand a legal non-conforming structure with a second floor addition with a 25.1' rear yard setback where Section 30.10.05 requires a 40' rear yard setback.

- The addition does not increase the footprint.
- Conformance would be unnecessarily burdensome.
- Variance is not contrary to public interest.
- Variance would not have an adverse effect to surrounding property.

Yeas: 6 – Maxwell, Waller, Courtney, Fejes, Hutson, Kovacs

MOTION TO GRANT VARIANCE CARRIED

ITEM #11 – VARIANCE REQUESTED. MS. LISAMARIE CLOUSE, 111 BLANCHE, for relief of the Zoning Ordinance to construct a barn as required by Section 40.57.10.

Mr. Stimac explained that the petitioner is requesting approval of the Board of Zoning Appeals to construct a barn to house two "mini" horses. Section 40.57.10 requires approval of the Board of Zoning Appeals for the construction of a barn. Mr. Stimac also explained that the petitioner has recently purchased a portion of the rear of the adjacent property to the west so that she can comply with the minimum parcel size of ¾ acre required by Section 28.5 of Chapter 90 (Animal Ordinance) of the City Code.

Ms. Clouse was present and stated that she has purchased two (2) miniature horses and she bought this property so that she would be able to have them at home. The horses are 36" and 38" high. Ms. Clouse also stated that she had confirmed with Animal Control that she would be able to keep these horses on her property. Ms. Clouse purchased additional land from her neighbors in order to meet the land requirements for keeping animals.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Motion by Maxwell

Supported by Kovacs

MOVED, to grant Ms. Lisamarie Clouse, 111 Blanche, relief of the Zoning Ordinance to construct a barn as required by Section 40.57.10.

- Other provisions of lot coverage and area of buildings will be met.
- Variance will not have an adverse effect on surrounding property.
- Variance is not contrary to public interest.

Yeas: 6 – Waller, Courtney, Fejes, Hutson, Kovacs, Maxwell

MOTION TO GRANT VARIANCE CARRIED

Mr. Fejes informed the Board that he will be out of town for the July 17, 2001 meeting.

The Board of Zoning Appeals meeting adjourned at 10:34 P.M.

MS/pp

The Vice-Chairman, Michael Hutson called the meeting to order at 7:30 P.M., on Tuesday, July 17, 2001.

PRESENT: Kenneth Courtney ALSO PRESENT: Mark Stimac

Marcia Gies Bob Davisson
Michael Hutson Pam Pasternak
Matthew Kovacs

Mark Maxwell Walter Storrs

ABSENT: Christopher Fejes

Motion by Hutson Supported by Maxwell

MOVED, to excuse Mr. Fejes from this meeting as he is out of town.

Yeas: 6 – Gies, Hutson, Kovacs, Maxwell, Storrs, Courtney

MOTION TO EXCUSE MR. FEJES CARRIED

ITEM #1 - APPROVAL OF MINUTES OF MEETING OF JUNE 19, 2001.

Motion by Maxwell Supported by Courtney

MOVED, to approve the minutes of the meeting of June 19, 2001 as written.

Yeas: 6 – Gies, Hutson, Kovacs, Maxwell, Storrs, Courtney

MOTION TO APPROVE CARRIED

ITEM #2 – VARIANCE REQUESTED. MR. JAMES HARRIS, 4900 HYDE PARK, for relief to construct a patio enclosure resulting in a 26.4' rear yard setback where 40' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct an enclosed patio at his residence. The plans submitted indicate construction of a patio enclosure resulting with a proposed 26.4' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

Mr. James Harris was present and stated that his wife has suffered from depression for approximately twenty-two (22) years and has been on medication for this condition. The medication has caused her to lose some muscle tone as well as her sense of

balance, and in order to help regain this muscle tone and balance, physical therapy has been recommended. Mr. Harris also stated that it has been proven that the loss of light may aggravate some cases of depression. Mr. Harris brought in a letter from his wife's physician stating that although this sunroom was not an absolute necessity in treating her condition, he felt that she could benefit from the use of this room. Mr. Harris further stated that he had spoken to his surrounding neighbors and they do not object to the construction of this room.

Mr. Courtney advised Mr. Harris that full spectrum lighting is very beneficial in the treatment of depression and could be installed in Mr. Harris' home without the sunroom. Mr. Harris stated that besides the lighting, his wife uses a ball as part of her physical therapy to gain strength in her muscles, and this room would give her the space required. Mr. Harris further stated that the room would be built mainly of glass, which would increase the effect of the light.

Mr. Maxwell asked Mr. Harris if he would be willing to downsize the request of this variance and Mr. Harris stated that he had already downsized this room and did not think he would be able to accept anything smaller. Mr. Maxwell expressed concern over the fact that this request was for a very large variance and thought that perhaps something smaller would be more acceptable. Mr. Harris said that the room would completely cover the existing patio and was not willing to change the dimensions.

Mr. Bob George, of Mr. Enclosure, the builder for Mr. Harris was present and stated that originally Mr. Harris had proposed building an 18' sunroom, however, they told him it would be too large and Mr. Harris downsized it to 16'. Mr. George emphasized the fact that Mr. Harris' wife would benefit not only from the extra light provided by this sunroom but by the extra room provided for her therapy. Mr. George further stated that Mr. Harris' home is already 40' from the rear yard setback and therefore, anything he asks for will require a variance.

The Vice-Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

Motion by Maxwell Supported by Courtney

MOVED, to deny the request of Mr. James Harris, 4900 Hyde Park, for relief of the Ordinance to construct an enclosed patio at his residence resulting with a proposed 26.4' rear yard setback, where 40' is required.

- Variance request is considered excessive.
- Approval of the variance would have an adverse effect on surrounding property.
- Petitioner did not prove a hardship with the land.

Yeas: 5 – Hutson, Maxwell, Storrs, Courtney, Gies

Nays: 1 – Kovacs

MOTION TO DENY REQUEST CARRIED

ITEM #3 – VARIANCE REQUESTED. MR. ANDY DEANGELIS, 209 PARK, for relief to construct an 18,852 square foot building addition resulting in a rear yard setback of 10' where 20' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct an 18,852 square foot addition to the east side of an existing 10,317 square foot industrial building. Section 30.20.09 of the Zoning Ordinance requires a minimum rear yard setback of 20' in the M-1 Zoning District. The site plan submitted indicates that the proposed addition would result in a rear yard setback of 10'.

This item appeared on the Zoning Board of Appeals Agenda of May 1998 and was approved. The petitioner however, failed to secure a Building Permit within 12 months as required by Section 43.85.00 of the Zoning Ordinance.

Mr. Stephen LaClare was present and stated that they had ordered a press back in 1998 and had to cancel the order due to the expense. Since that time, they have found another source and once again ordered a press that is much larger than the one they presently have. Mr. LaClare further stated that the configuration of the site and the addition of more utility lines have limited them to the location of the addition on this site.

The Vice-Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing as closed.

There are no written approvals or objections on file.

Motion by Courtney Supported by Gies

MOVED, to grant Mr. Andy DeAngelis, 209 Park, relief of the ordinance to construct an 18,852 square foot building addition resulting in a rear yard setback of 10' where 20' is required.

- This variance is not contrary to public interest.
- The variance does not cause an adverse effect to properties in the immediate vicinity or zoning district.
- This site is isolated at the outskirts of Troy.

Yeas: 6 – Kovacs, Maxwell, Storrs, Courtney, Gies, Hutson

MOTION TO APPROVE CARRIED

Mr. Hutson brought up the fact that recently several members of the Board had attended a seminar for the Board of Zoning Appeals and one of the things that was discussed was the possibility of having an alternate member appointed to cover for vacations and also to sit in when a member felt there might be a "conflict of interest". Mr. Maxwell and Mr. Courtney both stated that they felt it could be very beneficial to the Board to have an extra member available and would like to have City Council appoint an alternate. Mr. Stimac stated that there are currently provisions in the Ordinance, which allows City Council to appoint up to two (2) alternates to serve on this Board. Mr. Storrs pointed out that City Council had appointed an alternate from the Planning Commission to take his place when he cannot come to a meeting.

Mr. Stimac also stated that as long as there was sufficient notice that someone would be unavailable for a meeting an alternate would be a good idea. Mr. Stimac also stated that it would be more difficult to have an alternate at a meeting in case of a "conflict of interest", due to the fact that it would be almost impossible to determine that this condition existed. Mr. Stimac further said that it would be up to City Council to appoint an alternate, and he believed that it could be done from a list of candidates that City Council has in its possession.

Mr. Hutson also asked that the Board of Zoning Appeals application include a section, which would allow members of the Board to go onto the petitioner's property to determine how the variance would affect surrounding property. Mr. Hutson also asked if I.D. cards could be provided to the Board members to identify themselves to property owners. Mr. Stimac pointed out that the permission from the owner is already stated on the application.

Motion by Courtney Supported by Gies MOVED, to request that City Council appoint an alternate to serve on the Board of Zoning Appeals.

• Alternate would fill in for absent member, and/or if a "conflict of interest" for a particular case was determined.

Yeas: 6 – Maxwell, Storrs, Courtney, Gies, Hutson, Kovacs

MOTION TO APPROVE REQUEST TO CITY COUNCIL CARRIED

The Board of Zoning Appeals meeting adjourned at 8:18 P.M.

MS/pp

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, July 24, 2001 in the Lower Level Conference Room of the Troy City Hall.

Absent

Wright

1. ROLL CALL

Present:

Chamberlain

Kramer

Littman

Pennington

Reece

Starr

Storrs

Waller

Also Present:

Mark Miller, Interim Planning Director Lori Bluhm, Acting City Attorney Jordan Keoleian, Student Representative Tracy Slintak, Environmental Specialist Doug Smith, Real Estate and Development Director Steve Vandette, City Engineer

Resolution

Moved by: Waller Seconded by: Reece

RESOLVED, that Commissioner Wright be excused from attendance at this meeting.

Yeas: All Present (8) Absent: Wright

MOTION CARRIED

2. <u>PUBLIC HEARING - SPECIAL USE REQUEST (SU-98)</u> — Proposed Belle Tire Expansion — Southeast Corner of Long Lake Road & Rochester Road — Section 14

Mr. Miller noted that this Special Use Request was postponed at the July 10, 2001 Regular Planning Commission meeting, so the petitioner, Fire Department, and Planning Department could resolve the fire lane issue. A revised site plan was submitted that reduced the number of parking spaces and decreased the angle of the parking spaces. This revision allows for the 18 feet fire lane as requested by the Fire Department. The Planning Department recommended approval of the Special Use Request and revised Preliminary Site Plan.

Mr. Waller inquired as to whether the fire trucks could get into that area. Mr. Miller stated that the fire trucks can make the turn and access the southern area of the building. Also, that the Fire Department would do anything necessary to fight a fire at the property.

Resolution

Moved by: Starr Seconded by: Littman

RESOLVED, that Special Use Approval, as requested for the expansion of Belle Tire building on a 1.47 acre B-3 Zoned site, having frontage on the south side of Long Lake Road and frontage on the east side Rochester Road is hereby granted, in accordance with section 22.30.06 of the zoning ordinance.

Yeas: All Present (8) Absent: Wright

MOTION CARRIED

Resolution

Moved by: Starr Seconded by: Littman

RESOLVED, that Preliminary Site Plan Approval, as requested for the expansion of Belle Tire building, on a 1.47 acre, B-3 Zoned site, having frontage on the south side of Long Lake Road and frontage on the east side Rochester Road is hereby approved.

Yeas: All Present (8) Absent: Wright

MOTION CARRIED

STUDY ITEMS

3. BOARD OF ZONING APPEALS REPORT

Mr. Storrs noted that the vacancy on the BZA was filled by Matthew Kovacs and that there is now a full board on hand. The BZA is asking Council to consider appointing an alternate to reduce the number of delays that are a result of not having a full BZA present.

4. CURRENT DEVELOPMENT REPORT

Doug Smith, Real Estate and Development Director, noted that a ground breaking ceremony is being held on building frontage property tomorrow, July 25, 2001 for the Altair Building on Big Beaver at the Big Beaver Airport development. He also mentioned that while in Tennessee, the City Council and himself visited the Civic Center / Marriott Hotel in Kingsport, Tennessee. He stated it is the largest and most profitable in the Marriott chain and is located in the Northeast corner of Tennessee and is the size City Council has been considering for Troy with 85,000 to 100,000 square feet of conference area.

After visiting Kingsport, the new City Council members traveled to the Rosemont Theater in Illinois. This performing arts theater has 4,300 seats. City Council has scheduled an August 27th Special/Study meeting to discuss the Civic Center.

Mr. Miller commented that the Tentative Preliminary Plat at Oak Forest subdivision was approved by City Council subject to the City requesting a MDEQ Wetlands Permit public hearing.

In addition, Troy Pines II was granted Tentative Preliminary Plat approval by City Council. The petitioner presented a plat to Council at the meeting that included a culde-sac and no frontage on John R. Road.

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

Mr. Smith noted the DDA did approve the bond issue for the Big Beaver Project. No August meeting is scheduled. Next meeting will be in September.

6. PROPOSED FUTURE LAND USE PLAN

Mr. Chamberlain commented that discussions regarding the Master Land Use Plan and various potential amendments to it has been brought up for over a period of eight (8) to nine (9) months.

Regarding the one public hearing required to be held for the Future Land Use Plan approval process, Mr. Chamberlain noted that he would like to propose a tentative public hearing at the regular meeting in September. This would allow one more Planning Commission meeting after tonight to complete the necessary revisions prior to the proposed public hearing in September. Mr. Chamberlain asked for comments from the Planning Commission. No comments were made.

Mr. Chamberlain asked the Planning Department to rewrite Mr. Keisling's Future Land Use Plan Text dated June 19, 2001. He commented that sections regarding current status and future projects are not needed in the Future Land Use Plan. He further stated that the data blanks also needed to be provided within the text.

Mr. Chamberlain continued, noting the overlay of the natural features on the Future Land Use Plan in relation to the fire pods. If the fire pods lined up with the natural features, this would be a dual function, then this can be mapped with the Natural Features Ordinance and Future Land Use Plan. Mr. Miller stated that the Preservation Areas are pretty accurate. He presented a Natural Features Map with the Preservation Areas/Fire Pods overlayed. Mr. Chamberlain asked if there were any comments on making this appropriate for our Future Land Use Plan and stated that this is one of our more important things we need to get into. No comments were made.

Mr. Miller asked Ms. Slintak if the Natural Features Map was going to be revised. Ms. Slintak stated there would be no drastic revisions, except the drains will be added to the map. Mr. Chamberlain stated that as far as the Future Land Use Plan goes, the drains are not necessary.

Mr. Littman asked Ms. Slintak if the Natural Features Map shows drains, will the retention and detention basins be shown? Ms. Slintak replied that these will probably not appear on this map.

7. DRAFT – CHAPTER 37 – WETLANDS ORDINANCE &

8. DRAFT – CHAPTER 38 – NATURAL FEATURES PROTECTION ORDINANCE

Mr. Chamberlain noted that a memo from the City Attorney was received addressing the legal issues and questions related to the proposed ordinances. Mr. Kramer discussed the Natural Features Ordinance and setback requirements. Mr. Kramer commented that woodlands is an amenity in some cases where the architecture allows construction in a wooded area. Mr. Chamberlain commented that the setbacks could be unreasonable. Mr. Littman commented that individual situations could dictate different setbacks.

Mr. Waller stated that Mayor Pryor asked about a ruling made by the Attorney General concerning Wetland setbacks. Has this been investigated? Ms. Bluhm noted that the Attorney General's opinion states that Wetlands cannot be expanded with required setbacks. However, Natural Features Ordinances can require setbacks.

Mr. Kramer commented that the 50 foot setback is an arbitrary number and it could be reduced. Ms. Bluhm noted that a setback provides an area to build a swale to keep chemicals from impacting the natural feature.

Mr. Chamberlain asked Mr. Kramer how he wanted to settle the setback issue. Mr. Kramer stated they should be relative to their intent and handled on an individual basis. Ms. Bluhm commented that it is best to have a standard for setbacks. Mr. Kramer asked how the setback can be altered. Ms. Bluhm answered that City Council can grant variances. Mr. Chamberlain stated that he did not like where someone personally likes you or dislikes you decides, whether a variance gets approved. This is not fair and a standard needs to address setbacks.

Ms. Slintak noted that natural features require a buffer or setback to eliminate or reduce impacts.

Mr. Chamberlain commented that if a homeowner decides to do something with his backyard, who is going to enforce the proposed ordinances? How is the homeowner going to know the regulations? Ms. Slintak stated that the City does not look for problems unless the neighbors make a complaint. Notification of requirements could be included in tax bills, water bills, newsletters, etc. The Natural Features Map is notification there is a resource on individual properties. Mr. Chamberlain asked what is the penalty for a violation. Ms. Bluhm stated it is a misdemeanor.

Mr. Miller stated that the Planning Department would coordinate the development approval process. When a proposal comes to the Planning Commission, there would be development approval and a Wetlands and Natural Features Permit Request at the same meeting.

Mr. Chamberlain asked when the final map will be ready. Mr. Miller stated the earliest would be September. Engineering Department is working on a letter for all affected property owners. The affected property owners would then be requested to send back their reply as to whether or not they will attend the meeting. Mr. Chamberlain stated that the Planning Commission will need a special meeting for the Public Hearing. Mr. Chamberlain stated we need to notify City staff that we need to have a final map before the effective date of the Ordinance.

Mr. Miller commented that Engineering is currently in the process of compiling the affected property address list. Ms. Slintak stated it is not complete.

Mr. Littman stated that the Planning Commission was to have a public hearing on the map and that Council is also going to have a hearing on the map. It was also stated that the Planning Commission will have a hearing for the text and map and that City Council will have a hearing for the text and map.

Mr. Kramer asked Ms. Bluhm what happens to existing situations without a buffer or setback today. Ms. Bluhm stated that property currently developed would be encouraged to keep the natural habitat as much as possible. Mr. Miller stated that there are standards for existing conditions and exempts some situations from the proposed regulations.

Mr. Storrs commented that the Planning Commission should not have the public hearing just on the text and that the text and the map should be addressed as a package. Mr. Chamberlain commented that he was led to believe that one of the key things we needed was the map.

Ms. Pennington asked if woodlands are a Natural Feature. Ms. Bluhm stated yes; however, the City's ordinances related to trees and woodlands need to be revised.

Mr. Miller commented that currently, a Preliminary Plan requires the submittal of a Preliminary Tree Preservation Plan that is basically a tree inventory. Prior to Final Plan approval, the developers obtain a Final Tree Preservation plan approval from the Parks and Recreation Department.

Considerable discussions occurred regarding woodlands and tree preservation methods with the Planning Commission members and staff.

Mr. Keoleian stated that a 50 foot natural features setback is confusing and should be reviewed by individual proposals. Mr. Storrs stated he was thinking along those same lines. Mr. Storrs also stated that many townships have considerable development yet to occur and 25 feet setbacks are used. Mr. Chamberlain asked if drains are considered a Natural Feature that is regulated. Ms. Bluhm answered that drains may be a Natural Feature and that the proposed ordinance permits the improvement and maintenance of county drains.

The Planning Commission members and staff discussed at length the proposed regulated Natural Features. Mr. Chamberlain asked Mr. Kramer to prepare an outline of some of his concerns and submit them to the Planning Commission for the next special/study meeting.

The Planning Commission developed a consensus that it should conduct a Public Hearing for both the proposed Natural Features Map and the proposed Ordinances.

Mr. Kramer asked how the public will be informed of how the proposed Ordinances will affect them. Ms. Slintak answered that the Engineering Department is developing two (2) lists of all the property owners affected by the Natural Features Map. Ms. Slintak stated that there are over 3,000 parcels that could be affected.

Mr. Chamberlain commented that it is very important for the Planning Commission to send comments to City Council. In addition, he stated that the Commission needs direction regarding the public hearings from City Management. Mr. Waller stated the Planning Commission has potential new responsibilities under the proposed ordinances. Additionally, the Commission will have to learn how to deal with Wetlands and Natural Features. Mr. Chamberlain is concerned the Commission will become a referee in these matters.

9. <u>SITE PLAN REVIEW</u> – Preliminary Plan Approval of Peacock Farms Site Condominium – West of Rochester Road, North of Square Lake Road – Section 3

Mr. Miller stated that this proposal was postponed at the June 12, 2001 Regular Meeting. At this meeting there were five residents of the Ottawa/Marengo/Rochester area who presented stormwater drainage problems to the Planning Commission. A correspondence from City Management is provided in the agenda packet that addresses some of the storm water concerns. In addition, Steve Vandette, City

Engineer, was requested to attend the Study Meeting to answer questions related to the storm water problems. Further he stated, additional topographic information was added to the site plan as requested by the Planning Commission. There are no known violations on the subject property and the City Engineer will answer questions. All Zoning Ordinance requirements continue to be met. The Planning Department recommends approval of the Preliminary Site Plan.

Mr. Storrs commented regarding the difference of the road pavement on the west end of the proposed development. Mr. Miller stated that pavement is only a half width to allow the alignment of Oberlin Street, which is unusual, because it is currently only 25 feet wide. When the property to the west is to be developed, a full width right-of-way and street would be installed.

Mr. Chamberlain asked, what is the City doing to solve the storm water problems near the proposed development?

Steve Vandette, City Engineer, addressed the storm water drainage problems. Initially, he demonstrated that the storm water flows to Rochester Road, and the existing rear yard drains had silted up. These private drains are no longer functioning. City staff met with the Rochester Road frontage property owners regarding a rear yard drain program to alleviate rear yard drainage problems. This started approximately 2-3 months ago. The City will build catch basins and storm sewers without cost to the property owners. A meeting is scheduled to meet with property owners to finalize this plan. The Public Works Department will be responsible for these improvements. Even if Peacock Farms is never constructed, these rear yard storm sewers will be constructed by the City. Mr. Vandette stated that the project would outlet to Rochester Road and will be constructed in 2001.

Further, Mr. Vandette stated that the drains will help dry out the rear yard areas of the homes adjacent to the proposed Peacock Farms, and storm water will be directed into the detention basin. This basin is designed for a 10 year storm. It has an overflow system of swales and ditches. This development would provide a storm sewer system that will improve the storm drainage patterns.

Mr. Littman asked if this development and the City Project will help the Marengo area drainage problem. Mr. Vandette stated he was not sure if the situation will improve and that anyone who lives in this Marengo area and has water problems should contact Tim Richnak of the Public Works Department – Streets and Drains.

Mr. Kramer stated that way more detail that normal was provided. Peacock Farms will help solve some of the problems. He is in favor of approving the Peacock Farms Site Condominium.

Bob McComb, a representative from Peacock Farms, stated that Peacock Farms will reduce water volume to the Rochester Road properties. Mr. Storrs asked about the grades at the property lines. Mr. McComb replied that there will be a swale system.

Al Bayer, Engineer with Nowack and Frauss, explained the new cross-sections were provided on the site plan. Mr. Chamberlain asked if there were any further comments from the audience.

Jane Bisson, 6295 Rochester Road, noted that Lot 3 has had the lowest elevation on Rochester Road for the last seven (7) years and has been wet for the last two (2) years. If there is going to be rear yard drains installed, and a neighbor does not have rear yard drains on their property, is her drain going to have to handle their flow. Mr. Vandette stated that Peacock Farms storm water drainage will reduce that storm water flow to the Rochester Road properties.

Tom Patton, 841 Ottawa, stated he has heard several inaccuracies and that there has been water near his garage and basement. He noted concern of the lowering of property values because the proposed units are smaller than the existing lots.

Dan Lilly, 926 Marengo, stated that he has one of the lowest elevations. Both his shed and house are near the 100 year flood plain. Water comes very close to his house.

Mr. Chamberlain stated that the Marengo residents should get together and submit in writing to the City their flood problems; specifically, Tim Richnik.

Ms. Bluhm stated this is a site plan and there is not a lot of flexibility. If it meets all the Zoning Ordinance requirements, then it has to be approved. The Planning Commission cannot take into account the reduction of property values. Mr. Chamberlain stated that ten (10) years ago we did deny a development on this very basis and the City was not successful in court litigation.

Mr. Waller stated that he is satisfied with the proposed development and it has adequately met the Zoning Ordinance requirements.

Resolution

Moved by: Littman Seconded by: Waller

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Peacock Farms, in the area west of Rochester Road and north of Square Lake Road, be approved.

Yeas: All Present (8) Absent: Wright

MOTION CARRIED

10. PUBLIC COMMENT

Jane Bisson, 6295 Rochester Road, asked if property in litigation could be developed?

Cheryl Nielsen, 900 Marengo, stated that someone is bulldozing debris into the private drain south of Marengo. Ms. Bluhm stated that evidence, such as photographs and/or license plate numbers need to be gathered.

John Weyhrauch, 2088 Highbury, commented on St. Petka Church, and stated that it should include a joint driveway with the High School. Please work towards the provision of a joint driveway.

11. GOOD OF THE ORDER

Mr. Miller stated that St. Petka is proposing to eliminate the joint driveway and it will be presented at the August Regular Meeting. In addition, the Wetlands Map shows potential wetlands at this site.

Mr. Waller stated that City Council does need to give the Planning Commission some direction regarding cross-access for condominiums.

Mr. Storrs commented that when we make our decisions, we need to think of the next 30 years.

Mr. Miller noted the reappointment of Jordan Keoleian as Student Representative to the Planning Commission. Mr. Keoleian stated he was very pleased to continue as part of the Planning Commission.

Mr. Chamberlain requested a list of Special Uses be given to the Planning Commission before the next meeting.

The meeting was adjourned at 10:00 PM

Respectfully submitted,

Mark F. Miller Interim Planning Director

Call to Order

The regular meeting was called to order at 7:08 p.m.

Roll Call

Present: Alex Bennett Jerry Bixby

Richard Hughes Kyleen Krstich
Frank Smith (arrived late) Cindy Stewart
Kent Voigt Bryan Wehrung

Absent: Michael Farrug

Approval of Minutes

Moved by Voigt, seconded by Bixby to approve the minutes of the regular meeting of May 24, 2001 as submitted.

Motion carried unanimously.

Correspondence

A. Americast - Price Changes

Effective July 15, 2001, households will be charged \$4.95 for the first T.E.D. and additional T.E.D.'s will remain at \$2.95. The price of single advantage service (HBO, Cinemax, Starz/Encore) will increase by \$1.00.

B. Comcast

Effective April 16, 2001, the new rate for Basic Cable is \$11.50, Cable Plus is \$18.45 and Variety Packages are \$3.00. In addition, the digital cable ala carte pricing will increase by \$1.86; the digital packages will increase by \$5.00; and HBO, Showtime, Cinemax and the Movie Channel will increase by \$0.50.

Committee members discussed the City's role in stopping cable rate increases. The City has no recourse since there is competition.

A senior discount is available. Comcast offers \$3.00 off basic plus and basic for seniors over 62 years. Americast offers a 10% discount to seniors 65 years and older. Stewart will promote this via the *Senior Newsletter*, *Troy Today*, and cable.

Both cable companies are working hard to develop high technology systems.

C. New Staff

Cindy has dealt with both John Rawcliffe and Mary Maliga Brown. Both are very professional and respond to customer complaints in a very timely fashion.

D. Comcast @ Home Service

The new pricing for this service is \$5.00 per month to rent the modem. Wehrung has the @ Home Service and is very pleased with it. The speed alone makes it worthwhile.

E. Ameritech - New Digital Sports Package

The Committee questioned whether this package is free of charge. It is not per Americast. Ameritech is removing 3 channels from the analog PPV line-up.

F. Ameritech New Media Quarterly Report

The PPV buys seem fairly low. Outages doubled in the 2nd quarter compared to the 1st quarter.

Stewart will get trouble call codes from Ameritech for October meeting.

Old Business

A. Digital Equipment (carry over item)

For the long-term plan, WTRY equipment that is being purchased is high quality and digital.

B. Retention of Council Meeting Tapes

Council policy now states current tapes are recycled after the next meeting takes place. Copies are on sale for \$15.00 per tape.

Moved by Bennett, seconded by Hughes that CATV Committee advises City Council to maintain City Council meeting tapes for an indefinite period at the Library for access to citizens.

Motion carried unanimously.

This resolution will be forwarded to Council at an August 2001 meeting.

C. Elect CATV Chairperson

Wehrung is currently acting chairperson.

Bixby opened the floor for nominations to chair the Committee.

Bixby nominated Bryan Wehrung; Hughes seconded nomination.

Nomination was unanimously approved. Wehrung accepted the Chair position.

- D. Alex Bennett brought up a discussion on CMN.
- E. Amplifier and Power Strip Costs (from May meeting)

Stewart called Americast. Amplifier cost was not comparable to what equipment is worth and most people don't even need the amplifier. The power strip protects against power surges.

New Business

A. ICCA Meeting Notes

Job opening - may want to contact National Academy of Arts & Sciences - Detroit Producers Association.

August 20 City Council meeting - Wide Open West - Contact CATV members if this presentation takes place.

Mail answers to questions from WOW to CATV.

B. Related Articles

Comment – Wide Open West may change their name when the deal to purchase Americast closes.

C. October Meeting Date

The next meeting date is October 17, 2001, at 7:00 p.m. in Conference Room C.

D. Mission Statement

Include copy of Mission Statement in next agenda packet for new Committee members.

Moved by Voigt, seconded by Bixby to adjourn the meeting.

Motion carried unanimously.

The meeting adjourned at 8:40 p.m.

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M. on Wednesday, August 1, 2001.

PRESENT: Ted Dziurman Ginny Norvell
Rick Kessler Pam Pasternak

Bill Nelson Tim Richnak Frank Zuazo

ITEM #1 - APPROVAL OF MINUTES - MEETING OF JULY 11, 2001

Motion by Nelson Supported by Richnak

MOVED, to approve the minutes of the meeting of July 11, 2001 as written.

Yeas: 5 – Dziurman, Kessler, Nelson, Richnak, Zuazo

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. NICK MITCHELL, ATHENS PLAZA – 120-140 W. MAPLE, for relief to maintain the 45" high section of fence located within the front yard setback.

Ms. Norvell explained that the petitioner is requesting renewal of relief granted by this Board to maintain the 45" high section of fence located within the front yard of the property. Petitioner owns a multi-tenant commercial center located on the north side of Maple between Livernois and Thunderbird. This item first appeared before the Building Code Board of Appeals in July 1992. In July 1996 this Board granted a renewal of this variance for a period of five (5) years.

Mr. Mitchell was present and stated that he had installed the fence because of people trespassing in this area. He was concerned that someone would get hurt due to the fact that there is a 2 ½' drop in the elevation between his site and the property to the east. Mr. Mitchell asked if there was any way the Board could make this a permanent variance.

The Building Department has no complaints or objections on file.

Motion by Nelson Supported by Zuazo

MOVED, to grant Mr. Nick Mitchell, Athens Plaza, 120-140 W. Maple a permanent variance to maintain the 45" high section of fence located within the front yard setback.

- This variance is a permanent variance unless this property is sold, at which time it would become void.
- There are no complaints or objections on file.

Yeas: 4 – Dziurman, Nelson, Kessler, Zuazo

Abstain: 1 – Richnak

MOTION TO GRANT VARIANCE WITH STIPULATION CARRIED

ITEM #3 – VARIANCE REQUEST. JUDY KENNEDY, GULF INTEREST, INC., CEDAR RIDGE ESTATES CONDOMINIUM, BIG BEAVER EAST OF JOHN R., for relief of Chapter 83 to construct a 6' high privacy fence in the front setback along E. Big Beaver.

Ms. Norvell explained that the petitioner is requesting relief of Chapter 83 to construct a 6' high privacy fence 15' from the rear lot lines of units 1-12 of the Cedar Ridge Estates Condominiums. Because units 1-12 back to Big Beaver and the adjacent properties front on Big Beaver Road, they are classified as double front, thru-lots. As such, Chapter 83 requires a 25' minimum setback along Big Beaver for any fence over 30" high.

This item first appeared before this Board at the July 11, 2001 meeting and was tabled to allow the petitioner to investigate the possibility of using vinyl fencing rather than a wooden fence and also to determine exactly what type of fence they would install.

Ms. Kennedy was present and stated that she had investigated this matter thoroughly and discovered that a vinyl fence would cost them at least \$20,000.00 more than a wooden fence and they would not consider putting up this type of fence. Ms. Kennedy further stated that they felt that the vinyl fencing would not fit in with the area, as it would present a harsh, stark appearance. Ms. Kennedy explained that the wood fencing would blend in with the area and reinforced the statement that the cost of maintenance for this fence would be taken care of by the Homeowners Association, as noted in the deed restrictions. Ms. Kennedy also said that this would eliminate the need for the homeowners to come to the Board and ask for a variance for a privacy fence which could lead to several different types of fencing rather than one fence which would be consistent along the length of the property. Ms. Kennedy went on to say that she was informed that steel posts are now used as corner posts, which gives the wooden fence more stability.

ITEM #3

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Mr. Richnak questioned Ms. Kennedy regarding the berm and proposed landscaping. Ms. Kennedy stated that the berm would be 2 ½' – 3' high and they are planning on adding ornamental trees as well as evergreens along the fence line. Mr. Richnak felt that the landscaping would help to obscure the fence from Big Beaver due to the fact that besides planting trees they are also planting low growing evergreens.

Mr. Nelson asked what type of fence they were planning to erect and Ms. Kennedy said that they were planning on using a solid dog-ear type of fencing.

Motion by Nelson Supported by Richnak

MOVED, to grant Judy Kennedy, of Gulf Interest, Inc., Cedar Ridge Estates Condominium, Big Beaver east of John R., relief of Chapter 83 to construct a 6' high privacy fence in the front setback along E. Big Beaver.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- The Homeowners Association will provide for maintenance of the fence.

Yeas: 4 – Dziurman, Kessler, Nelson, Richnak

Nays: 1- Zuazo

MOTION TO GRANT VARIANCE CARRIED

ITEM #4 – VARIANCE REQUEST. TARA CARDELLA, OAKLAND MALL LIMITED, 500 W. FOURTEEN MILE, for relief of Chapter 78 for the placement of a special event sign from November 1, 2001 through December 26, 2001 (56-day period).

Petitioner is requesting relief for the placement of a special event sign over the existing pylon sign and frame facing the I-75 Expressway, from November 1, 2001 through December 26, 2001 (56-day period). Section 9.01 of Chapter 78 limits the time period for a sign to advertise a special event to seven (7) days.

A similar request appeared before this Board at the meeting of September 2000 and was approved.

Ms. Cardella was present and stated that this request was exactly the same as the request from last year, the only difference being that they were planning on reducing the back light. **ITEM #4**

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or complaints on file.

Motion by Kessler Supported by Nelson

MOVED, to grant the request of Tara Cardella, Oakland Mall Limited, 500 W. Fourteen Mile, for relief of Chapter 78 for the placement of a special event sign from November 1, 2001 through December 26, 2001 (56-day period).

- Variance is not contrary to public interest.
- Variance will not establish a prohibited use.

Yeas: AII - 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUEST. KATHLEEN DEBURGHGRAEVE, REPRESENTING NORTHFIELD HILLS CONDOS, 1850 BRENTWOOD, for relief of Chapter 78 to allow the placement of 20 off-site signs for a 7-day period.

Ms. Norvell explained that the petitioner is requesting relief of the Sign Ordinance to allow the placement of 20 off-site signs for a 7-day period in relation to a special event being held on Sunday, August 26, 2001. The Sign Ordinance limits the number of off-site signs to 4. A similar request appeared before this Board at the meeting of August 2, 2000 and was approved.

The petitioner was not present. Mr. Dziurman stated that this event has been going on for number of years and we have not received any complaints regarding these off-site signs. Mr. Dziurman also did not wish to table this item, allowing the petitioner to be present, as the event would be over before the next meeting of the Building Code Board.

There is one written approval on file. There are no written complaints on file.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Motion by Nelson Supported by Richnak

ITEM #5

MOVED, to grant the request of Kathleen Deburghgraeve, representing Northfield Hills Condos, 1850 Brentwood, for relief of Chapter 78 to allow the placement of 20 off-site signs for a 7-day period.

- There are no complaints on file.
- Signs will be removed immediately following the event.

Yeas: AII - 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #6 – VARIANCE REQUEST. YOUSSEF (JOE) CHECHAYEB, CHOICE DEVELOPMENT, STONEHAVEN WOOD EAST – CORNER OF CROOKS AND THE NEW STREET SALMA, for relief of Chapter 83 to construct a 6' high masonry/metal wall with two 10'-4" high end columns at the entrance to the new Stonehaven Woods East Subdivision.

Ms. Norvell explained that the petitioner is requesting relief of Chapter 83 to construct a 6' high masonry/metal wall, 10' from the east lot lines, with two 10'-4" high end columns at the entrance to the new Stonehaven Woods East Subdivision. The petitioner is requesting placement 10' from the property line, where 50' is required. This wall would be located at the corner of Crooks Road and the new street Salma. The lots at Salma and Crooks are double front corner lots. As such, Chapter 83 limits fences and walls in front yard setbacks to 30" in height.

Mr. Jim Gideon of Choice Development was present and stated that there are several subdivision entrance walls of this type throughout the City and requires a minimum of maintenance due to the fact that the wall will be constructed of solid brick with a stone top and wrought iron. Mr. Gideon also stated that originally they had planned to make the end columns 10'-4" high, however, they have changed the height of these columns to 8'.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written approval on file. There are no written objections on file.

Motion by Kessler Supported by Richnak

ITEM #6

MOVED, to grant Youssef (Joe) Chechayeb, Choice Development, Stone Haven Woods East, corner of Crooks and the new street Salma, relief of Chapter 83 to construct a 6' high masonry/metal wall with two 8' high-end columns at the entrance to the new Stonehaven Woods East Subdivision.

- The Homeowners Association will do maintenance of the wall.
- Variance is not contrary to public interest.
- End columns will be 8' high as stated by the petitioner.

Yeas: AII - 5

MOTION TO GRANT VARIANCE CARRIED

ITEM #7 - VARIANCE REQUEST. GHAFARI ASSOCIATES, INC., REPRESENTING DELPHI, 5820 & 5825 DELPHI DRIVE, for relief of the 1997 International Plumbing Code (IPC) Section 708.8.

The 1997 IPC states that manholes are required for building sewers, which are 8-inches and larger, where there is a change in size or direction and at intervals of not more than 400 feet. The petitioners are in the process of constructing 2 new buildings and are proposing to collect five (5) separate, 8-inch diameter roof drainage leads each on the east side of building D and the west side of Building C into a common header of specified diameter. The connections into the header would utilize wyes or elbow type fittings for change in direction in lieu of a manhole at each point of connection to header. Included in the proposed system are cleanouts on the inside of the building wall where each of the 8-inch leads exit the building plus cleanouts on the header pipe at intervals not exceeding 100 feet. The petitioner is asking for relief of this modified system.

Mr. Patrick Smithbauer, Vice President of Ghafari Associates, L.L.C., Mr. David Pamula, Manager, Civil Engineer for Ghafari Associates and Chris Vanhartesveh of Waldbridge Associates were present. Mr. Pamula stated that there are two long buildings presently under construction at the Delphi site and the plans were initially approved by the Engineering Department. After the work was done, the City of Troy Engineering Department came out and approved the site, however, the City of Troy, Plumbing Inspector, would not approve this construction because he felt that manholes would be required.

Mr. Pamula further stated that there are five (5) separate drainage systems located at each of the waste points and a clean out located at 100' intervals. Mr. Pamula further stated that if they had to put in manholes at this point, it would be under considerable expense, especially since this plan had been approved before they installed this system.

ITEM #7

Mr. Dziurman asked if all other drainage goes into manholes and Mr. Kessler replied that if the drainage system was within 30" of the building it would automatically have been approved, however, due to the fact that it is approximately 4' to 5' away from the building, a variance is required. Mr. Kessler also stated that normally storm water is considered to be "clean" water and maintenance of the system would be minimal. Mr. Dziurman asked if there was a secondary drainage system and Mr. Kessler stated that there was.

Mr. Richnak asked about landscaping around this drain and Mr. Vanhartesyeh stated that there is approximately 2' of stone around the building, then sod and then sidewalk.

Motion by Nelson Supported by Richnak

MOVED, to grant Ghafari Associates, Inc. representing Delphi, 5820 & 5825 Delphi Drive relief of 1997 International Plumbing Code (IPC) Section 708.8.

- Variance is not contrary to public interest.
- Plan was originally approved by the Engineering Department

Yeas: AII - 5

MOTION TO GRANT REQUEST CARRIED

The Building Code Board of Appeals meeting adjourned at 9:10 A.M.

GN/pp

The Chairman, Christopher Fejes called the meeting to order at 7:30 P.M., on Tuesday, August 21, 2001.

PRESENT: Kenneth Courtney Also Present: Mark Stimac

Christopher Fejes Marcia Gies Michael Hutson Matthew Kovacs Mark Maxwell Walter Storrs Lori Grigg Bluhm Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES OF MEETING OF JULY 17, 2001

Motion by Courtney Supported by Gies

MOVED, to approve the minutes of the meeting of July 17, 2001 as written.

Yeas: 6 – Gies, Hutson, Kovacs, Maxwell, Storrs, Courtney

Abstain: 1 – Fejes

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – RENEWAL REQUESTED. ST. AUGUSTINE LUTHERAN CHURCH, 5475 LIVERNOIS, for relief of the 4'6" masonry wall required along the south and west sides of off-street parking.

Mr. Stimac explained that the petitioner is requesting renewal of relief granted by this Board for the 4'6" high masonry wall required along the south and west sides, adjacent to the off-street parking. The relief was originally granted in 1993 based on the fact that the variance would not be contrary to public interest and conforming would be unnecessarily burdensome. In 1998 this Board granted renewal of this variance for a period of three (3) years. Section 39.10.01 of the Zoning Ordinance does not require that a screen wall be provided between the parking lot of a church and adjacent single-family residential property when a public street separates them. Therefore, no wall was required along the north side of their parking lot.

Mr. Stimac further explained that In October 1999 the Building Department received a complaint from Mrs. Baylerian, 70 McKinley drive regarding the traffic congestion, and lack of extra landscaping on this site. The church was granted a variance to install only 22 trees along the McKinley street frontage where Section 39.80.02 would require at least 66 trees (one tree per 20' of frontage) are planted. This variance was granted, in part because the church was only developing the eastern 440' of their 1317' deep parcel. The trees were installed within this developed portion of their site. Since that time the church has, in fact, sold the western 300 feet of their property.

Mr. Les Kuykendall, a member of St. Augustine Church was present and stated that they would like to make this a permanent variance. Mr. Kuykendall pointed out that presently they have a berm along the west entrance, which is at least 6' high and heavily landscaped, and also have a large stand of tress on the south side of the property. He feels that this landscaping provides enough privacy to the surrounding homes. Mr. Kuykendall further stated that this is a small congregation, and although they have some activities in the evenings, they are on a very limited basis, and usually have only twelve cars in the lot. On Sundays, Mr. Kuykendall stated that there are approximately 80 cars in the lot.

Mr. Kovacs asked Mr. Stimac for clarification on granting this a permanent variance and Mr. Stimac stated that the Board of Zoning Appeals has the authority to make this a permanent variance, however, before this could happen a new Public Hearing would have to be held. Mr. Stimac also pointed out that the Ordinance had recently been changed and now is asking for a berm to be installed rather than a wall. Mr. Stimac also stated he thought that if the Church were to add more landscaping to the berm on the west side of the parking lot it may comply with the Ordinance. Mr. Stimac went on to say that the south property line is approximately 10' from the property line and there is not enough room for the church to add a berm, that would comply and also that the majority of the trees in this area are on the neighboring property and not on the Church's property.

Mr. Courtney asked if there was a possibility of adding a driveway onto Livernois, and Mr. Kuykendall stated that in previous reviews the City felt it would be better to keep the drive on McKinley. Mr. Kuykendall further stated that he thought the Church would want to look into the possibility of a new Public Hearing to make this a permanent variance.

Motion by Courtney Supported by Kovacs

MOVED, to grant St. Augustine Lutheran Church, 5475 Livernois, a three (3) year renewal of a variance for relief of the 4'6" masonry wall required along the south and west sides of off-street parking.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

Yeas: All – 7

MOTION TO GRANT RENEWAL OF VARIANCE FOR A PERIOD OF THREE (3) YEARS CARRIED

ITEM #3 – VARIANCE REQUESTED. RICHARD SOWINSKI, 810 TRINWAY, for relief of the Zoning Ordinance to construct a 728 square foot garage, which will exceed the maximum allowable space permitted for accessory structures.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a 728 square foot detached garage at his residence. Section 40.57.04 limits the combined ground floor area of all accessory buildings on a parcel to one-half the ground floor area of the main building or 600 square feet whichever is greater. Presently there is an existing 360 square foot detached garage and a 343 square foot shed which exists on the property. Because the size of the existing residence is 1128 square feet, the maximum size of all accessory buildings on this site is limited to 600 square feet.

This item first appeared before the Board of Zoning Appeals at the meeting of November 16, 1999 and was tabled to allow the petitioner to come up with an alternative plan. The petitioner has changed the size of his variance request.

Mr. and Mrs. Sowinski were present and stated the shed listed in the Public Hearing notice is only 339 square feet rather than 360 square feet. Mrs. Sowinski further stated that the reason they need this garage is due to the fact that they own two large vehicles as well as three (3) classic cars and have nowhere to park them. Mrs. Sowinski also said that due to the fact that their property is almost an acre, they have a large amount of lawn equipment that they need to store and presently have nowhere to put it. Mrs. Sowinski stated that this area is a country type setting in that all of the homes are on large lots. The Sowinskis indicated that they do not want to attach the garage to their home but would prefer having a separate building. Mr. Sowinski indicated that originally their request was for a garage that was 30' x 40' and now they would like a building which would be 26' x 28'.

Mr. Courtney asked for clarification on which buildings the Sowinskis planned to tear down, and Mr. Sowinski stated that the only building they would remove would be the existing garage. Mr. Kovacs asked for clarification regarding the square footage in this variance request and Mr. Stimac stated that they are asking for a variance, which will result in 1,070 square feet of accessory buildings where 600 square feet are permitted.

Mr. Maxwell asked what would be required if the Sowinskis were to attach the garage to their home and Mr. Stimac explained that at least one corner of the building would have to share a common wall with their home. Mr. Maxwell then asked what the ramifications would be regarding property assessment and Ms. Bluhm stated that she would be unable to answer that without checking with the Assessing Department. Mr. Maxwell went on to state that he felt that this building could be attached to the home by a breezeway and the result would be that the petitioner would have a larger garage. Mr. Sowinski stated that they do not wish to add this garage onto their home, due to the fact that there is a drop in the property that would require a large amount of fill to be brought

in at considerable expense. Mr. Sowinski went on to say that there is a large, mature maple tree and he is afraid that if he were to move the garage addition, it would affect this tree. Mr. Maxwell stated that he was concerned about the size of the variance, because the storage buildings would be larger than the size of the home. Mr. Sowinski stated that many of his neighbors have very large garages and he does not feel that he should be penalized because his home is small.

Mr. Courtney stated that the tree is behind the existing garage, and if the new garage were constructed from the house to the back of this existing structure, it would result in a garage which would be 30' deep, without effecting the tree, and which would be larger than what they are presently asking for. Mrs. Sowinski stated that they do not want an attached garage.

Mr. Fejes asked what would happen if this variance were not granted and Mr. Sowinski stated that he would put a new roof on the existing garage and a larger door, and possibly add a carport. Mr. Fejes stated that he was concerned about the size of the variance request, and did not feel that there was a hardship with the land. Mrs. Sowinski stated that she did not feel it was right to own cars that they could not keep on their property.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written approval on file. There are no written objections on file.

Motion by Courtney Supported by Maxwell

MOVED, to deny the request of Richard Sowinski, 810 Trinway, for relief of the Zoning Ordinance to construct a 728 square foot garage, which will exceed the maximum allowable space permitted for accessory structures.

- Variance request is considered excessive.
- Petitioner did not prove a hardship
- The Board feels that the petitioner has other options available to him.

Yeas: 6 – Hutson, Maxwell, Storrs, Courtney, Fejes, Gies

Nays: 1 – Kovacs

MOTION TO DENY CARRIED

ITEM #4 – VARIANCE REQUESTED. PATIO ENCLOSURES, 3827 GATE, for relief of the Zoning Ordinance to construct a patio enclosure, which will result in a 36.41' rear yard setback where 40' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to replacing an existing covered patio with an enclosed sunroom 36.41' from the rear property line. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning Districts. A variance from the Board of Zoning Appeals on August 21, 1973 permitted the existing covered patio.

Mr. Dave Rossman of Patio Enclosures was present and stated that the existing structure needs repair and the homeowner would like to replace it with a new structure. Mr. Harold Mercer, the homeowner, was also present and stated that the covered structure was approved by the Board in 1973 when the original home was built. Ten years ago the homeowner enclosed this patio.

Mr. Fejes asked if this was a non-conforming structure and Mr. Stimac stated that the covered slab was legal, however, the action of the homeowner enclosing this structure without prior approval, made the structure non-conforming. Mr. Stimac went on to say that if the homeowner was only going to replace the existing covered structure, the action of the Board in 1973 would still apply and the covered patio would conform to the Ordinance.

Mr. Hutson stated that he did not feel there was a hardship with the land that would justify a variance. Mr. Courtney stated that there was already a 4' variance, and if the walls were removed the structure would be in compliance. Mr. Rossman pointed out that he feels that the definition of hardship was open to interpretation and basically the existing porch is an eyesore that the homeowner wants to remove and improve on.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There is one written approval on file. There are no written objections.

Motion by Maxwell Supported by Kovacs

MOVED, to grant Patio Enclosures, 3827 Gate, relief of the Zoning Ordinance to construct a patio enclosure, which will result in a 36.41' rear yard setback where 40' is required.

- Variance request is minimal.
- Variance will not affect the existing setback established in 1973.
- This variance is not contrary to public interest.

Yeas: 6 – Kovacs, Maxwell, Storrs, Courtney, Fejes, Gies

Nays: 1 – Hutson

MOTION TO APPROVE REQUEST CARRIED

ITEM #5 – VARIANCE REQUESTED. ERICH HAGEN, 2339 GREENSBORO, for relief of the Zoning Ordinance to construct an enclosed patio, which will result in a 34.6' rear yard setback where 40' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct an enclosed patio. Section 30.10.04 of the Zoning Ordinance requires a 40' minimum rear yard setback for an enclosed or covered structure in the R-1C Zoning District. The site plan submitted indicates that the proposed enclosure built over an existing raised patio would result in a 34.6' rear yard setback.

Mr. Hagen was present and stated that due to the configuration of his lot, if he measured straight back from the proposed enclosed patio the 40' setback would be complied with. Mr. Hagen went on to state that only one corner of this enclosure would be in violation of the Ordinance.

The Chairman opened the Public Hearing.

Mr. Mike Grube, 4076 Middlebury was present and stated that he is a neighbor of Mr. Hagen's and he would approve of this request. Mr. Grube went on to say that he feels that this enclosure will add to the value of the property as well as create an aesthetically pleasing appearance.

No one else wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are no written objections.

Motion by Hutson Supported by Gies

MOVED, to grant Erich Hagen, 2339 Greensboro, relief of the Zoning Ordinance to construct an enclosed patio, which will result in a 34.6' rear yard setback where 40' is required.

- This variance is not contrary to public interest.
- Conforming would be unnecessarily burdensome to the petitioner.
- This variance will not have an adverse effect on surrounding property.
- The angle of the rear lot line makes complying with the ordinance difficult.

Yeas: AII - 7

MOTION TO APPROVE CARRIED

ITEM #6 – VARIANCE REQUESTED. DR. RICHARD SCHUSTER, 4221 GATESFORD CIRCLE, for relief of the Zoning Ordinance to construct a family room addition, which will result in a 34'-8" rear yard setback where 40' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a family room addition. The site plan submitted indicates a family room addition with a proposed 34'-8" rear yard setback. Section 30.10.04 of the Zoning Ordinance required a 40' minimum rear yard setback in the R-1C Zoning District.

Dr. Schuster was present and stated that they wished to square off the existing home, and because of the irregular shape of the lot a variance is required. Mr. Courtney asked if the Homeowners Architectural Committee had been contacted for approval and Dr. Schuster stated that he has not yet contacted them. Mr. Courtney suggested that if the variance were to be approved, they should contact the Architectural Committee before beginning construction.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are six (6) written approvals on file. There are no written objections on file.

Motion by Maxwell Supported by Kovacs

MOVED, to grant Dr. Richard Schuster, 4221 Gatesford Circle, relief of the Zoning Ordinance to construct a family room addition, which will result in a 34'-8" rear yard setback where 40' is required.

- Variance is not contrary to public interest.
- Variance will not establish a prohibited use in the Zoning District.
- This variance will not have an adverse effect on surrounding property.

Yeas: All – 7

MOTION TO APPROVE CARRIED

ITEM #7 – VARIANCE REQUESTED. BROOKSHIRE DEVELOPMENT, LLC, 26 INGRAM (PROPOSED ADDRESS), for relief of the Zoning Ordinance to construct a new single family home with a 41.58' front yard setback to a major thoroughfare where 50' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a new single-family residence. The site plan submitted proposes construction of a new house with a 41.58' setback from the Livernois Road right-of-way. Section 10.60.03 of the Zoning Ordinance requires a 50' minimum setback from major thoroughfare right-of-way lines in the R-1B Zoning District.

Mr. Maxwell asked if this was a self-imposed hardship and Ms. Bluhm replied that the hardship could be considered to be self-imposed.

Mr. Tom Caporuscio and Mr. Darrin Peebles, the Builders and owners of this property were present and stated that this lot was one of four lots that they bought as a package and are having a difficult time determining what type of home they can build on this lot which would conform with the Ordinance. Mr. Caporuscio stated that the homes in this subdivision are very stately looking homes, and due to the fact that there is an existing floodplain, as well as easements, they would have to build a home that is narrower than the surrounding homes, which they believe would not look right. Mr. Caporuscio further stated that this home would be right near the entrance drive to the subdivision and would be partially hidden behind existing landscaping.

Mr. Fejes asked if they were forced into purchasing this lot and Mr. Caporuscio stated that it was part of a package and they are having quite a difficult time determining what type of design to use for a home, which will fit in with the other homes in this subdivision. Mr. Caporuscio went on to say that if they do conform to the Ordinance, the garage would be nearly one half of the front of the house. Mr. Courtney stated that he felt that the developer did not intend for a house to be built on this lot, but rather that it would be used as a retention pond. Mr. Peebles pointed out that there are two retention ponds south of Ingram, and did not feel that this lot needed to be used for this purpose.

Mr. Kovacs asked for clarification on the distance required for the setback and Mr. Stimac replied that basically it is 110' from the centerline of Livernois or a setback, which should measure 51' from the sidewalk. Mr. Kovacs asked what the setback from the road would be once Livernois was widened and Mr. Stimac stated that depending on whether turn lanes or decel lanes were added, the property line could be as little as 18' from the curb line. Mr. Kovacs then asked if there was a possibility of altering half of the drainage ditch and Mr. Stimac replied that the restrictions fall under the Department

of Environmental Quality and FEMA, and he felt that if it were possible to shift the floodplain any further, the developer would already have done it.

Mr. Storrs pointed out that this lot is buildable by City standards, however, the petitioner wishes to build a home that will match other homes in this area. Mr. Maxwell asked how wide the lots were and Mr. Peebles replied that there is approximately 120' between lots 1 and 2, and the other lots in this subdivision are approximately 90' wide. Mr. Stimac pointed that the Zoning for this property is R-1B and with a side entrance garage, the buildable width of a home on a 90' wide lot is 56'; and without a side entrance garage the buildable width is 65'. On this particular lot there is a buildable width of 59.2' at the front setback and just under 48' of width at the rear setback. Mr. Stimac went on to say that the builder is proposing to build a home that would be 62.5' wide.

Mr. Courtney asked if this home could be moved up on the lot and Mr. Caporuscio replied that he did not think this would look right. Mr. Courtney stated that the home could be 60' wide x 35' deep. Mr. Caporuscio stated that they wished to build the home 62' wide x 50' deep. Mr. Courtney suggested that the home could be 40' wide and 60' deep and Mr. Caporuscio stated that the garage would take up half of the front of house. Mr. Caporuscio also said that they did not wish to put up a house that would be a "shoebox" design.

The Chairman opened the Public Hearing.

Mr. and Mrs. George Green of 6811 Livernois were present and stated that they object to this variance. Mrs. Green stated that they have had a number of problems with flooding due to the development of this subdivision and she does not want any more problems. Mrs. Green went on to say that there is another home in the subdivision that does not conform to the other homes and it is not an eyesore. Mrs. Green went on to say that this property was purchased knowing the size of this lot, and she did not want to see this variance granted.

No one else wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are two (2) written objections on file.

Motion by Maxwell Supported by Storrs

MOVED, to deny the request of Brookshire Development, LLC, 26 Ingram (proposed address), for relief of the Zoning Ordinance to construct a new single family home with a 41.58' front yard setback to a major thoroughfare where 50' is required.

- The Board believes this hardship to be self-imposed.
- The petitioner has other options to build on this lot.
- This variance would be contrary to public interest.

Yeas: All – 7

MOTION TO DENY CARRIED

ITEM #8 – VARIANCE REQUESTED. MR. & MRS. DAVID MEADOR, 1590 CRANBROOK, for relief of the Zoning Ordinance to construct a sunroom addition which will result in a 43' rear yard setback where 45' is required.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a sunroom addition. The site plans submitted indicate the proposed sunroom will result in a 43' rear yard setback. Section 30.10.02 of the Zoning Ordinance requires a minimum 45' rear yard setback in the R-1B Zoning District.

Mr. Erik Heiderer of Polyarch, Inc. and Mr. David Meador were present. Mr. Meador stated that he and his wife wished to have a room that they could enjoy year round. Mr. Meador also said that his lot does not have a straight angle and three quarters of his addition would conform to the rear yard setback, and only one corner would not conform.

Mr. Courtney asked about the shape of the addition and Mr. Heiderer replied that the addition would be an octagon shape with glass on four sides. Mr. Heiderer went on to say that the reason for this shape of the addition was to be able to utilize the pool area. Mr. Courtney then asked what would happen if the variance were to be denied and Mr. Heiderer stated that they would have to pull back one foot and the addition would lose the octagon shape.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are no written objections on file.

Motion by Maxwell Supported by Kovacs

MOVED, to grant Mr. & Mrs. David Meador, 1590 Cranbrook, relief of the Zoning Ordinance to construct a sunroom addition, which will result in a 43' rear yard setback where 45' is required.

- Variance request is minimal.
- Conformance would be unnecessarily burdensome.
- This variance is not contrary to public interest.

Yeas: AII - 7

MOTION TO APPROVE REQUEST CARRIED

ITEM #9 – VARIANCE REQUESTED. TRICIA YOUNG, 3278 WENDOVER, for relief of the Zoning Ordinance to construct a second floor addition, which will continue an existing 36.5' front yard setback where 40' is required. This structure is considered a legal non-conforming structure and Section 40.50.04 prohibits expansions to non-conforming structures in a way that increases its non-conformity.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a second floor addition. This lot is a double front setback corner lot. Section 30.10.02 of the Zoning Ordinance requires a 40' minimum front yard setback in the R-1B Zoning District. The site plan submitted indicates a 36.5' front setback from the property line along Tothill Road to the existing home. The plans submitted indicate the proposed second floor addition will continue this 36.5' setback. Based upon the age of this house, it is classified as a legal non-conforming structure. Section 40.50.04 prohibits expansions to non-conforming structures in a way that increases its non-conformity.

Mrs. Young was present and stated that the extension of Tothill, creating the double setback condition was established after her home was built. Mrs. Young further stated that the subdivision behind her home runs at an angle that makes it harder for them to conform with this addition.

Mr. Fejes asked what the addition would be used for and Mrs. Young stated that their family was growing and it would be used as a bedroom.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was close.

There are two (2) written approvals on file. There are no written objections on file.

Motion by Hutson Supported by Courtney

MOVED, to grant Tricia Young, 3278 Wendover, relief of the Zoning Ordinance to construct a second floor addition, which will continue an existing 36.5' front yard setback where 40' is required.

- This variance is not contrary to public interest.
- The variance will not have an adverse effect on surrounding property.
- Conforming would be unnecessarily burdensome.

Yeas: All – 7

MOTION TO APPROVE REQUEST CARRIED

Mr. Stimac informed the Board that he is still looking into the possibility of having alternate members appointed to this Board, and he will keep them updated. Mr. Stimac also informed the Board that he will not be at the September meeting, however, Mr. Grusnick will be attending the September meeting in his place.

The Board of Zoning Appeals meeting adjourned at 9:23 P.M.

MS/pp

F. Dean Campeau 37730 Charter Oaks Boulevard Clinton Township, MI 48036-2425 810-783-3977 e-mail dean652@home.com

CAMPEAU

July 19, 2001

Mr. Charles T. Craft, Chief of Police City of Troy 500 W Big Beaver Road Troy MI 48084 RECEIVED

AUG 1 6 2001

CITY OF TROY
CITY MANAGER'S OFFICE

DearChief Craft:

I want to take just a few minutes of your time to commend one of your men.

I suffered a stroke in February and the first time I was allowed to drive, the 21st of April, I was involved in a traffic accident on Big Beaver & Rochester Road. I was greatly shaken by this experience, which robbed me of my confidence in my driving skills. After suffering through a blistering attack by the father of the young man, whose car I hit. Your officer Mulvihill appeared on the scene. His appearance and demeanor quickly put me at ease. He explained that he had to issue a ticket to the party who was at fault and since I claimed responsibility, for the accident, Officer Mulvihill suggested I should seek a court hearing due to the fact that I have an excellent driving record.

Yesterday, April 18th, 2001, I went to court and there I found Officer Mulvihill who was, true to his words, ready to go into the courtroom with me. Thanks to him the charges against me were reduced to a no points charged Offence.

This is the first time I've ever encountered a Police Officer who followed through. I think he should be commended for his excellent people skills and for remaining true to his word. He is an excellent example of what Police Officers should be, a shining ambassador of the city he represents.

Thank you for taking the time to read this and if you would be kind enough to pass this testimony on to Officer Mulvihill, I would be extremely grateful.

Sincerely F. Dean Campeau

A Grateful visitor to the city of Troy

l de la companya di kabangan da kabang

G-6a



Education • Enrichment • Economic Development

July 27, 2001

RECEIVED

Mr. Wendell Moore Research and Technology Administrator Troy Police Department 500 West Big Beaver Road Troy, Michigan 48084 AUG 1 6 2001

CITY OF TROY CITY MANAGER'S OFFICE

Dear Mr. Moore:

Thank you for your participation in this summer's Field Study class. There is no greater learning tool than watching professionals do their job. The time that my students spent in your department aided them in putting together all of the philosophy and concept of modern law enforcement taught in their college courses with the realities of the street.

The professional demeanor of your officers and the cooperation and patience demonstrated by your command staff has given the students a very favorable impression of policing. Without a partnership between the college and Macomb County agencies, our program would be greatly diminished.

On behalf of the college and the students in the Law Enforcement Program, I extend my appreciation. I hope that we will be able to work with you in 2002 in again placing one or more students in your agency.

Sincerely,

MACOMB COMMUNITY COLLEGE

Donna M. Sherwood

Professor of Law Enforcement

Macomb Community College

DMS:pmc
LETTEROFAPPRECIATION#DS1

cc: Charles Craft, Chief of Police



August 15, 2001

RECEIVED

AUG 1 6 2001

CITY OF TROY
CITY MANAGER'S OFFICE

Mr. William Need Public Works Director City of Troy 500 W. Big Beaver Troy, MI 48084

Dear Bill:

I thought I would take a moment and express my appreciation to you for the way the City's Department of Public Works and your Refuse Collection Services handled a recent situation at my residence (36 Randall).

On Thursday morning, August 9, 2001, a regular pickup day for my area, I placed my grass clippings at the curb along with some recyclables and other refuse. That evening, I found my grass clippings were still at the curb, although the recylables and other refuse had been picked up. Because of the current road construction activity along Livernois next to my home, I assumed there might have been a problem getting to my residence at some point during the day. Based on this, I left these clippings at the curb and thought someone would come by on Friday to pick them up. By mid-afternoon on Friday, August 10th, however, no one had stopped by so I called your Public Works Department. I spoke with the individual who answered the Department telephone line, and explained my situation to her. This employee said she would call the City's Contractor about my matter. I assumed this meant a truck would stop by and pick up these clippings before the end of the day that Friday.

Much to my dismay at the time, however, a truck did not stop by on Friday. I then put my grass clippings back next to my garage, and resigned myself to the fact that I would have to put them out again next Thursday. I also planned to call your Department the week of August 20th and express my dissatisfaction with this situation.

I am happy to report, however, that a follow-up call was not necessary. That is because when I arrived home on Monday evening, August 13th, I found that someone had come by and taken away my grass clippings. I was especially impressed by the fact that the person who stopped by had to come up next to my garage to do so!

In closing, I feel this situation was handled in a way that says a lot about how your Department values Customer Service, and in my case "Service Recovery". I am most appreciative for this, and I wanted to make sure I took time to say Thank You.

Sincerely,

Michael A. Palchesko

Michael a. Palekerson

cc. Gary Shripka

G-6c

Birmingham Police Department

151 MARTIN STREET P.O. BOX 3001 BIRMINGHAM, MICHIGAN 48012 PHONE (248) 644 3405 FAX (248) 644-2567 http://www.ci.birmingham.mi.us

RICHARD G. PATTERSON Chief of Police

August 22, 2001

Chief Charles T. Craft Troy Police Deaprtment 500 W. Big Beaver Troy, MI 48084

Dear Chief Craft:

I wanted to take this opportunity to thank you and your department for their assistance with our Dream Cruise efforts, in particular the loan of the three patrol bikes. That event seems to stretch our resources to the limit, including our small bike fleet. We need to assign as many bike officers as possible, which would not be possible without the cooperation of neighbors, like you.

Thanks again.

Respectfully,

Sgt. Mark Rouland Bike Patrol Coordinator RECEIVED OF CHIEF OF CONTROL OF C



thinks to John help

August 27, 2001

Chief Charles Craft Troy Police Department 500 Big Beaver Road Troy, MI 48084

Ref: 2001 Woodward Dream Cruise

Dear Chief Craft:

The 2001 Woodward Dream Cruise was, by most accounts, considered one of the best. The larger crowds, increased media attention, and extended days and times cruisers were out made enforcement of the event more of a challenge. It is evident that the communities and police agencies along the Woodward Avenue corridor would have a difficult time attempting to police the Woodward Dream Cruise by themselves. However, through the assistance of your department with personnel and resources, we were able to maintain a safe, family-oriented environment that was enjoyed by over 1.5 million people. The cooperation and professional effort from each participating agency was greatly appreciated by the Royal Oak Police Department. This being my first "Dream Cruise", I can truly say I was impressed with the cohesiveness of law enforcement's part for this labor-intensive task we undertake. Truly, this is a fine demonstration of how sharing and pooling governmental services can benefit all our communities.

Again, thank you for your support and assistance. Please do not hesitate to call on the Royal Oak Police Department for anything we may be able to assist your department with.

Sincerely,

Theodore H. Quisenberry

Chief of Police

Royal Oak Police Department

(248) 246-3527

THQ:kss

cc: Mr. Lawrence M. Doyle, City Manager

Commander Thomas A. Wightman 2001 Woodward Dream Cruise File

Phone Area Code (248) General Information 246-3500 Fax Number 246-3402

Chief of Police Assistant Police Chief Administrative Office Commander 246-3527 246-3526 246-3525 246-3510 Detective Division Records Division Traffic Safety Division

Crime Prevention Unit

246-3515 246-3530 246-3505

246-3524



Office of the Prosecuting Attorney

DAVID G. GORCYCA

Prosecuting Attorney County of Oakland John N. O'Brien II Chief Deputy Prosecutor

August 29, 2001

Chief Charles Craft Troy Police Department 500 W. Big Beaver Road Troy, MI 48084

RE:

People v David Richardson

CR 2001-176276-FH

Dear Chief Craft:

I am writing to inform you of the professionalism exhibited by Detective Don Tullock of your department. Detective Tullock and I worked together on the above mentioned case. His assistance was crucial in securing a conviction as charged of Larceny Over \$20,000 involving \$32,000 stolen from the Huntington Bank.

The case occurred approximately one year ago and Detective Tullock was extremely helpful from start to finish. The case involved a voluminous amount of evidence including 1300 pictures, diagrams, bank records and fake bundles of money to represent the stolen funds. It also involved some very uncooperative witnesses that Detective Tullock did a great job handling.

Ultimately, the Defendant pled guilty and the bank will be repaid the \$32,000 in large part due to the hard work and dedication of Detective Tullock. He is an asset to your department and should be commended for his work on this case.

DEVE

Sincerely,

DAVID G. GORCYCA PROSECUTING ATTORNEY

ust m. H.

Justin M. Davis,

Assistant Prosecuting Attorney

JMD/lm

1200 N. Telegraph Road, Pontiac, MI 48341

Telephone: (248) 858-0656

Facsimile: (248) 858-0660



Special Agent in Charge United States Coast Guard Investigative Service

1240 E. 9th Street Cleveland, OH 44199-2060 Staff Symbol: cgis Phone: (216) 902-6136 FAX: (216) 902-6143

AUG 3 0 2001

Chief Charles Craft City of Troy Police Department 500 W. Big Beaver Rd. Troy, MI 48084

Dear Chief Craft,

On behalf of the Coast Guard Investigative Service (CGIS), and the U.S. Coast Guard as a whole, I would like to take this opportunity to thank Detective Jim Mork, Michigan ICAC Task Force, for his forensic investigative excellence.

Detective Mork continually kept our office abreast of his investigative efforts and forensic findings throughout a sensitive investigation, thus allowing CGIS to keep the Command here in Cleveland briefed.

I truly appreciate the expenditure of Detective Mork's time and resources. If we can ever be of assistance to you or your agency please do not hesitate to call me.

Sincerel

DAVID S. LEIGHTON Special Agent in Charge

Central Region

Coast Guard Investigative Service By direction of the Commandant



FRANK M. SMITH 21117 East Glen Haven Circle Northville, MI 48167 (248) 855-1010, ext. 307 (Work) (248) 380-7431 (Home)

August 9, 2001

Ms. Cynthia A. Stewart Community Affairs Director City of Troy 500 West Big Beaver Road Troy, MI 48084

Dear Ms. Stewart:

I recently moved to Northville and though I may return to Troy in the future, I am now obviously ineligible to serve on the Troy CATV Advisory Committee. I have enjoyed serving on the committee and hope some of my ideas have been helpful over the past few years.

Relative to our recent conversation, the committee might want to consider membership and participation in organizations such as the Detroit Producer's Association and the National Association of Television Arts and Sciences. Both of these groups sponsor technical seminars as well as general interest programs on current industry topics which could serve as a resource for future committee discussions.

Again, I am respectfully tendering my resignation due to my recent change in address.

Sincerely

Frank M. Smith

FMS:lsb



Sylvan Glen Homeowners' Association

5064 Shrewsbury Drive • Troy, MI 48098-3240

<u>Mchaffee@home.com</u>

Fax (603) 619-7758

(248) 879-6464

Dear Sir/Madam,

We are writing on behalf of the Sylvan Glen Homeowners Association. As we have expressed previously, we have serious concerns about the Shady Creek Estates site condo development as proposed by Durant Development Corporation.

The proposed development will be an extension of the existing Shady Creek Estates Subdivision, which was also developed by Durant. The new development will contain ten site condos in phase I and possibly another five in phase II. The existing sub consists of eighteen homes. Because there is the situation of extending the plot, even though done in a different time frame, we believe a request for an environmental impact study is warranted.

At this time we'd also like to express our gratitude for your interest and willingness to listen to our concerns. We were elated to hear that the City of Troy has ordered a drain study on the area. The report made at the DEQ public hearing by Mr. Van Dette and his request to deny rerouting of the Houghten Drain was another example of your open mindedness and good intentions, as was the voluntary attendance at this meeting by council members Robin Beltramini, Martin Howrylak and Louise Schilling.

It has never been our intention to prevent Mr. Dabrowski of Durant Development Corporation from developing his property. We only ask that he proceed in a responsible manner which does not negatively affect the welfare and property values of the present homeowners. Your actions indicate you are doing your best to insure this.

We appreciate your support and concern in this matter.

If you have any questions please feel free to call Charlene Calabro at 680-1607.

Sincerely,

Michael Chaffee

President SGHA

Lev Charlene Calabro
Charlene Calabro

Vice President SGHA

G-8

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Charles T. Craft, Chief of Police

SUBJECT: Byrne Memorial Grant

The incidences of identity theft and fraudulent uses of financial transaction devices — mainly credit cards — has been on the increase in the Detroit Metropolitan area for many years. In response to complaints from merchants in the City of Troy, an informal multijurisdictional task force was formed to cooperatively investigate these crimes. Over the past few years the membership has included agents from the Federal Bureau of Investigations, United States Secret Service, Unites States Postal Inspectors, United States Attorneys Office and the Troy Police Department. From the private sector, the Target Corporation provides office space and American Express has provided equipment and funding upon request.

In order to expand the number of investigators and formalize the task force, the Troy Police Department applied for a Byrne Memorial Grant to partially fund an officer from the Troy Police Department, the Auburn Hills Police Department and the Michigan State Police. The grant provides for a 50% funding level for the officers.

A formal task force known as the Detroit Metropolitan Identity Fraud Task Force will replace the existing informal task force. The Federal Bureau of Investigation and the Troy Police Department will jointly administer the task force with the Troy Police Department responsible for the grant and disbursement of the grant funds.

We have been notified that we have received a Byrne Memorial Grant of \$125,040. \$3,000 is set aside for investigative expenses and the remainder, \$122,040, is for officer's salaries. Of this amount, \$40,680 will be returned to the City of Troy to partially offset the cost of the officer we currently have assigned to the task force. No additional personnel will be needed to replace this officer.

August 28, 2001

TO: John Abraham, Traffic Engineer

Tonni Bartholomew, City Clerk

Laura Fitzpatrick, Assistant to the City Manager

John M. Lamerato, Assistant City Manager/Finance & Administration

Mark Miller, Planning Director Gert Paraskevin, IT Director

Gary A. Shripka, Assistant City Manager/Services Doug Smith, Real Estate & Development Director

Steve Vandette, City Engineer

FROM: John Szerlag, City Manager

SUBJECT: Assignments from August 27, 2001 Study Session

Please perform the following tasks so that items discussed at the Study Session can reach fruition:

<u>Electronic Agenda</u> - Lamerato/Paraskevin/Bartholomew

Be prepared to give individualized instruction to members of Council requesting assistance. In addition, develop a format for Public Hearings that will enable City council and residents to view in real time all salient arguments for and against the hearing at issue. I'd like this to be in place for the October 9, 2001 public hearing on the proposed wetlands, and natural features ordinance.

$\underline{Inter\text{-}connectability} - Shripka/Miller/Abraham$

Mayor and Council indicated that our policy of interconnecting public streets, when feasible, will continue. However, staff will provide a traffic impact analysis when interconnectability is proposed. When applicable, traffic calming measures will be discussed with developers. This analysis will be part of the site plan review process and the impact will be not only on the new subdivision plat, but also on the existing subdivision where public streets will connect.

<u>Wetland/Natural Features</u> – Lamerato/Shripka/Smith/Miller/Vandette

The focus of this topic assumes a voter-approved .5 mill property tax increase for a period of ten (10) years for reason of acquiring or controlling properties containing desirable natural features, including wetlands.

Assignments from August 27, 2001 Study Session August 28, 2001 Page Two

John Lamerato is to have Bendzinski Associates determine bonding capacity on a voter-approved issue using the above parameters against purchasing property on an annual basis for ten (10) years. In addition, Gary Shripka will ask Carlisle Associates to expand their current assignment on the TDR Ordinance to address non-contiguous parcels; specifically, trading development rights on wetlands/natural features parcels to areas that are developable. In his analysis, Mr. Carlisle should include open space, traffic, and density factors.

Once we get a handle on funding, we'll target parcels to acquire or control in some manner for consideration by City Council at a future Executive Session. So too, is it possible to utilize the Water/Sewerage fund to buy properties for retention ponds as well as plant certain types of trees that absorb water? We'll also look into the possibility of conservation easements as well as environmental-protection zoning. In a related matter, I'll call the director of the Oakland County Parks Division to determine if they have future plans to purchase property in Troy for open space reasons.

Please have all information assembled within sixty (60) days.

<u>City Council Rules and Procedures</u> – Lamerato/Bartholomew

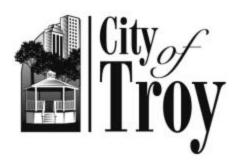
Place proposed rules and procedures modification as submitted by Councilwoman Schilling with the exception that the five (5) minutes identified in Paragraph 24 will be expanded to fifteen (15) minutes.

No Parking on Fire Hydrant Side of Street – Fitzpatrick

Supply us with the history of this issue. Why do we have this requirement of not allowing parking on the same side as fire hydrants when state code is less restrictive (they require no parking thirty (30) feet from fire hydrants). Is the cross-section or curb-to-curb distance of our streets a factor in our no parking policy? Would snow removal, garbage collection, or school bus routes be negatively impacted by allowing parking on both sides of the street? What requirement do other cities have relative to this issue, and is signage erected to advise motorists of their policy? Discuss this matter with Shripka, Abraham, Need, Craft, and Nelson, then advise if we should proceed with our current policy. This response will also go to Mayor and Council as well as Ms. Martha Sturgeon of 6963 Killarney Lane.

As always, feel free to call me should you have any questions.

c: Mayor and City Council



September 4, 2001

TO: MAYOR AND MEMBERS OF CITY COUNCIL

FROM: LORI GRIGG BLUHM, ACTING CITY ATTORNEY

RE: AWDISH v. PAPPAS

Enclosed please find a copy of the opinion, dismissing Troy Police Lt. Charles Pappas from the Awdish v. Pappas et. al lawsuit. As you may recall, Lt. Pappas was the Troy representative to a task force for the Drug Enforcement Administration (DEA). During his tenure at the DEA, there were several cases where an individual named Salwan Asker testified on behalf of the government. Two of these cases involved relatives of the Plaintiff. When Salwan Asker was subsequently murdered. the Plaintiff, Linda Awdish, was a potential murder suspect, based on information received by a confidential informant. Ms. Awdish was stopped by the DEA agents and brought to the Detroit Police Department headquarters for questioning. Ms. Awdish was held for approximately 24 hours for questioning, and after a polygraph examination, she was released without any charges being filed against her. She then filed allegations of civil rights violations in both the federal and also state court. In federal court, the complaint alleged three separate claims: violation of the 4ⁿ Amendment seizure provisions; violation of the 6th Amendment right to counsel provisions; and a conspiracy to commit civil rights violations under 42 U.S.C. Section 1988. In the state court action, Plaintiff alleged two state law tort claims: false imprisonment/false arrest and intentional infliction of emotional distress. Both of these cases are now dismissed.

Pursuant to the attached federal court opinion, the DEA agents, including Troy Lt. Charles Pappas, were shielded from liability by qualified immunity. The Court opined that the officers had sufficient probable cause to believe that Plaintiff had murdered Salwan Asker. This is true, even though no formal criminal charges were filed against her.

If you have additional questions, please let us know.

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

LINDA AWDISH,	
Р	laintiff, CIVIL CASE NO. 99-40333
V.	
CHUCK PAPPAS, JAMES MUELLER GREGORY EDWARDS, DONALD HUGHES, and JOHN DOE #1,	R, HONORABLE PAUL V. GADOLA
Defen	dants. U.S. DISTRICT JUDGE

OPINION and ORDER

Before the Court is Defendants' renewed motion for summary judgment [docket entry 45]. Having considered the parties' written submissions and having entertained oral argument in open court on August 1, 2001, the Court will grant Defendants' motion for the reasons set forth below.

I BACKGROUND

Defendant Chuck Pappas is a City of Troy, Michigan policeman. Defendant James Mueller is a special agent for the U.S. Drug Enforcement Administration ("DEA"). Defendant Gregory Edwards is an investigator with the City of Detroit Police Department. Defendant Donald Hughes is an investigator with the City of Detroit Police Department. All named Defendants were members of the "REDRUM" Task Force operated by the Detroit Field Division Office of the DEA. The Task Force investigates narcotics-related murders in and near Detroit. Defendant "John Doe #1" is a City of Novi police officer whom Plaintiff could not identify when she filed her complaint.1

On August 25, 1997, Defendants participated in the warrantless arrest2 of Plaintiff for the murder of Salwan Asker. Police effected Plaintiff's arrest after receiving information from confidential informants, discussed infra, and with the knowledge that Mr. Asker had testified against two of Plaintiff's relatives in a criminal case. After arresting Plaintiff, police applied handcuffs to Plaintiff's wrists and took Plaintiff to Detroit Police Headquarters. At police headquarters, Defendants participated in the interrogation of Plaintiff.

After they had detained Plaintiff for roughly twenty-seven hours, and after Plaintiff had passed a succession of polygraph examinations, police released Plaintiff from custody. Neither Plaintiff nor anyone else has, to date, been charged with a crime in relation to the death of Salwan Asker.

On April 24, 2000, Plaintiff filed her third amended complaint arising from this course of events. Plaintiff alleges two causes of action. First, she alleges that Defendants seized her unlawfully in violation of the Fourth and Fourteenth Amendments to the U.S. Constitution. Second, she alleges that Defendants conspired to violate her rights under the Fourth and Fourteenth Amendments. Plaintiff sues each Defendant in his individual and official capacities. Defendants now move for summary judgment as to both of those claims.

II LEGAL STANDARD

Rule 56(c) of the Federal Rules of Civil Procedure provides that summary judgment "shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Summary judgment is appropriate where the moving party demonstrates that there is no genuine issue of material fact as to the existence of an essential element of the nonmoving party's case on which the nonmoving party would bear the burden of proof at trial. Celotex Corp. v. Catrett, 477 U.S. 317, 322 (1986); Martin v. Ohio Turnpike Commission, 968 F.2d 606, 608 (6th Cir. 1992).

In considering a motion for summary judgment, the Court must view the facts and draw all reasonable inferences therefrom in a light most favorable to the nonmoving party. 60 lvy Street Corp. v. Alexander, 822 F.2d 1432, 1435 (6th Cir. 1987). The Court is not required or permitted, however, to judge the evidence or make findings of fact. d. at 1435-36. The moving party has the burden of showing conclusively that no genuine issue of material fact exists. Id. at 1435.

A fact is "material" for purposes of summary judgment where proof of that fact would have the effect of establishing or refuting an essential element of the cause of action or a defense advanced by the parties. Kendall v. Hoover Co., 751 F.2d 171, 174 (6th Cir. 1984). A dispute over a material fact is genuine "if the evidence is such that a reasonable jury could return a verdict for the nonmoving party." Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986). Accordingly, where a reasonable jury could not find that the nonmoving party is entitled to a verdict, there is no genuine issue for trial and summary judgment is appropriate. Id.; Feliciano v. City of Cleveland, 988 F.2d 649, 654 (6th Cir. 1993).

Once the moving party carries the initial burden of demonstrating that no genuine issues of material fact are in dispute, the burden shifts to the nonmoving party to present specific facts to prove that there is a genuine issue for trial. To create a genuine issue of material fact, the nonmoving party must present more than just some evidence of a disputed issue. As the United States Supreme Court has stated, "[T]here is no issue for trial unless there is sufficient evidence favoring the nonmoving party for a jury to return a verdict for that party. If the [nonmoving party's] evidence is merely colorable, or is not significantly probative, summary judgment may be granted." Anderson, 477 U.S. at 249-50 (citations omitted); see Celotex, 477 U.S. at 322-23; Matsushita Electric Industrial Co., Ltd. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986). Consequently, the nonmoving party must do more than raise some doubt as to the existence of a fact; the nonmoving party must produce evidence that would be sufficient to require submission of the issue to the jury. Lucas v. Leaseway Multi Transportation Service, Inc., 738 F. Supp. 214, 217 (E.D. Mich. 1990), aff'd, 929 F.2d 701 (6th Cir. 1991). "The mere

existence of a scintilla of evidence in support of the plaintiff's position will be insufficient; there must be evidence on which the jury could reasonably find for the plaintiff." <u>Anderson</u>, 477 U.S. at 252; <u>see Cox v. Kentucky Department of Transportation</u>, 53 F.3d 146, 150 (6th Cir. 1995).

III ANALYSIS

Defendants argue that the doctrine of qualified immunity prevents Plaintiff from reaching a jury with her claims. When ruling upon a governmental actor's assertion of qualified immunity from suit, the Court must resolve two distinct, sequential questions. Saucier v. Katz, 121 S. Ct. 2151, 2156 (2001). The plaintiff bears the burden of demonstrating that the answer to each of the following two questions is affirmative. See, e.g., Hansen v. LaMontagne, 808 F. Supp. 89, 92 (D.N.H. 1992).

First, the Court must decide whether the facts, taken in the light most favorable to the party asserting the injury, show that the defendant's conduct violated a constitutional right. Saucier, 121 S. Ct. at 2156. In answering this inquiry, the Court might have to enunciate principles that would, prospectively, form the "basis for holding that a right is clearly established."

A negative answer to this question would end the inquiry in the defendant's favor; an affirmative answer would require the Court to address the second and final issue: whether the right was clearly established. Id.. For a right to be clearly established, the determinative inquiry "is whether it would be clear to a reasonable [defendant] that his conduct was unlawful in the situation he confronted." Id.. (quoting Wilson v. Layne, 526 U.S. 603, 615 (1999)). If the Court were to decide that the right allegedly violated was not clearly established, the doctrine of qualified immunity would shield the defendant from suit. The Court's conclusion that the right was clearly established, conversely, would mean that qualified immunity is no obstacle to a continuation of the suit.

Because the purpose underlying qualified immunity is to "avoid excessive disruption of government and permit the resolution of many insubstantial claims on summary judgment," the Court must rule on a defendant's assertion of qualified immunity early in the proceedings. <u>Id.</u> (quoting <u>Harlow v. Fitzgerald</u>, 457 U.S. 800, 818 (1982)).

A. Whether, Viewing the Evidence in the Light Most Favorable to Plaintiff, Defendants Violated Any of Her Rights

The Court now turns to the issue of whether the facts, taken in the light most favorable to Plaintiff, show that Defendants' conduct violated a constitutional right. Plaintiff argues for an affirmative answer to this question because, in her view, Defendants violated clearly established constitutional rights by: (1) "arresting her without probable cause on August 25, 1997"; (2) "detaining her overnight"; (3) "verbally harassing her"; and (4) "denying her permission to contact her family to advise them of her whereabouts." (Pl. Resp. at ¶ 1.)

 i. Whether Plaintiff's Claim Based on Her Alleged Arrest and Detention Without Probable Cause Survives Defendants 'Assertion of the Doctrine of Qualified Immunity The Fourth Amendment prohibits a warrantless arrest without probable cause. Probable cause exists when the "facts and circumstances within the arresting officer's knowledge 'were sufficient to warrant a prudent man in believing that the [arrestee] had committed or was committing an offense." Pyles v. Raisor, 60 F.3d 1211, 1215 (6th Cir. 1995) (quoting Beck v. Ohio, 379 U.S. 89, 91 (1964)). Usually, the existence of probable cause is a question of fact. Id.

Defendants argue that, viewing the facts in the light most favorable to Plaintiff, they still had probable cause to effect her arrest for the murder of Salwan Asker. For this proposition, Defendants rely on the following factors:

- 1. On April 10, 1997, the body of Salwan Asker was found lying in the street in Detroit, Michigan, during the middle of the night. (Exhs. 3-6: Answers to Interrogs. No. 16; Attachments A and C to Keefe Declaration).
- 2. The autopsy of Salwan Asker's body showed that he had been shot in the back of the head at close range, consistent with an execution style murder. (Exhs. 3-6: Answers to Interrogs. No. 16; Attachments A, C, D, and M to Keefe Declaration).
- 3. During the early 1990's Salwan Asker, the deceased, had testified against several members of the Kalasho drug trafficking organization in Detroit, Michigan. DEA relocated Asker out of state for reasons of personal and family safety due to a fear of retaliation in response to his having testified against the Kalasho organization defendants. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments A, C, D, E, H, and L to Keefe Declaration).
- 4. The Kalasho drug-trafficking organization was extremely violent, and was deemed responsible for multiple death threats, acts of harassment, and murders. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments C, D, and H to Keefe Declaration).
- 5. Plaintiff had at least two close relatives, a brother and a cousin, who were members of the Kalasho organization. These relatives were prosecuted, convicted, and imprisoned for offenses related to drug-trafficking, based in part on the testimony and cooperation of Salwan Asker. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments C, E, H, and L to Keefe Declaration).
- 6. Various informants and/or sources informed law enforcement personnel that in early 1997, plaintiff contacted Salwan Asker by telephone at his out-of-state location and offered him \$5,000 to \$10,000 and travel expenses in an effort to lure him back to Detroit to provide a videotaped statement recanting his previous testimony against plaintiff's relatives who were in prison as a result of their criminal convictions. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments A, C, E, H, and L to Keefe Declaration; see also Attachment I for modus operandi of Kalasho organization).

- 7. Various informants and/or sources informed law enforcement personnel that days prior to his death, Salwan Asker returned to the Detroit metropolitan area at plaintiff's request. Plaintiff arranged and paid for [a] flight to Detroit and his stay at motels in the Detroit area. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments A, B, C, E, H, and L to Keefe Declaration).
- 8. Various informants and/or sources informed law enforcement personnel that during the days prior to his death, Salwan Asker was in frequently [sic] contact with plaintiff, both in person and by telephone. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments A, B, C, E, H, and L to Keefe Declaration).
- 9. Motel records and telephone records corroborated the above information. (Exhs. 3-6: Answers to Interrogs. No. 16, Keefe Declaration, ¶ 6; Attachments A, B, C, H, and L to Keefe Declaration).
- 10. Various informants and/or sources reported that shortly before his death, Salwan Asker expressed distrust and fear of plaintiff. (Exhs. 3-6: Answers to Interrogs. No. 16; Attachments A(\P ¶ 5 and 9) and H (\P ¶ 4 and 5) to Keefe Declaration).
- 11. Various informants and/or sources reported that plaintiff was in the presence of Salwan Asker on the day of his death, and during the days leading up to his death. (Exhs. 3-6: Answers to Interrogs. No. 16; Attachments A, H, and L to Keefe Declaration).

Regarding the information provided by confidential informants, this Court, as per Magistrate Judge Wallace Capel, Jr., denied Plaintiff's motion to compel discovery on March 30, 2001. However, there is evidence in the form of Plaintiff's exhibits three through six, which are signed answers to interrogatories admissible under Rule 56(c), that Defendants had knowledge of each of the eleven factors noted above that Defendants adduce to show that they had probable cause to arrest Plaintiff.

Plaintiff relies primarily on those same factors, and Defendant Mueller's deposition testimony to the effect that he knew before Plaintiff's arrest that it was possible that Mr. Asker had recorded a statement in which he recanted his trial testimony against Plaintiff's relatives. (Pl. Br. at 8-11.) This evidence, in Plaintiff's view, supports her theory that, far from there being probable cause to believe that she had murdered Mr. Asker, a reasonable jury would more likely conclude that "the factors articulated by the Defendants reveal a pattern of conduct in which [Plaintiff] befriended Mr. Asker, assisting him in a number of ways including paying for his accommodations, providing transportation, feeding him and, in general, acquiescing to his many demands occasioned by his drug dependency and resulting poor health." (Pl. Br. at 8.)

The Court's <u>in camera</u> review of Defendants' sealed materials regarding the confidential informants reveals that at least one informant told police that Mr. Asker had expressed distrust and fear of Plaintiff shortly before Mr. Asker was found with a bullet in the back of his skull. If credible, that piece of information, combined with Plaintiff's undisputed access to Mr. Asker, would suffice to create

probable cause to believe that Plaintiff had committed the murder. Cf. Johnson v. State, 249 N.W. 2d 593, 596-97 (Wis. 1977) (concluding that probable cause existed where, inter alia, the victim expressed fear of the defendant shortly before her murder and the defendant was identified near the victim shortly before the murder); People v. James, 626 N.E. 2d 1337, 1344-45 (III. Ct. App. 1993) (concluding that probable cause to arrest the defendant for arson existed where police knew, inter alia, that the victim expressed fear of the defendant and the defendant was seen near the crime scene one-half hour before the arson); Woodward v. State, 668 S.W. 2d 337, 337-47 (Tex. Ct. Crim. App. 1982) (concluding that probable cause existed where, inter alia, the murder victim had expressed fear of the defendant and the defendant was found 90 miles from the crime scene). The question thus becomes whether, viewing the facts in the light most favorable to Plaintiff, that tip was credible.

In most cases, an informant's tip is credible enough to create probable cause if (1) the police have corroborated aspects of a detailed tip or (2) the informer had a record of providing reliable information. United States v. Williams, 114 F. Supp. 2d 629, 633 (E.D. Mich. 2000) (Gadola, J.). The Court's in camera review of the Keefe Declaration, which details what Defendants knew about their informants, shows that the informant who told police that Mr. Asker proclaimed his distrust of Plaintiff shortly before his murder was an informer who was highly reliable because of the informer's access to Mr. Asker and the detailed nature of the tip that the informer provided. Having corroborated details of this informer's tip, police were in a position from which it was reasonable for them to credit the informer. The other informants upon whom police relied also had a history of providing accurate tips during the DEA's investigation of the Kalasho drug trafficking organization in Detroit.

Because the Keefe Declaration shows that the informants were reliable, the Court concludes that, viewing the evidence in the light most favorable to Plaintiff, Defendants' conduct did not violate Plaintiff's constitutional right not to be seized and detained in the absence of probable cause. The Court also concludes that there is no genuine issue of material fact as to this issue because Plaintiff has not adduced evidence from which a reasonable jury could conclude that Defendants lacked probable cause to arrest and detain Plaintiff.

Plaintiff has therefore failed to overcome prong one of the qualified immunity analysis; i.e., she has not demonstrated that the facts, taken in the light most favorable to Plaintiff, show that Defendants' conduct violated a constitutional right to be free of seizure without probable cause. A fortiori, the Court holds in the alternative that Defendants violated no clearly-established right of Plaintiff's. Accordingly, prong two of the qualified-immunity analysis also shields Defendants from suit.

ii. Whether Plaintiff's Claim Based on Defendants' Alleged
"Verbal Harassment" of Her and Their Denial of
Permission for Plaintiff to Contact Her Family While She
Was Detained Survives Defendants' Assertion of the
Doctrine of Qualified Immunity

As to Plaintiff's assertion of "verbal harassment," Plaintiff argues that Defendants "displayed their weapons, screamed and yelled" at Plaintiff, pounded on a table in front of Plaintiff, and detained Plaintiff overnight. Plaintiff maintains that all of

these acts were "tactics" that violated the Fourth Amendment. Plaintiff adduces no authority for the proposition that any of these acts violates the Constitution, and the Court is aware of none. In fact, policemen's mere display of a holstered weapon and verbal abuse of a suspect, at least during the process of arresting that suspect, do not violate the Fourth Amendment. See Collins v. Nagle, 892 F.2d 489, 496-97 (6th Cir 1989).

Regarding Defendants' alleged refusal to allow Plaintiff to call her relatives,3 Plaintiff relies on one case to establish a pretrial detainee's right to call relatives. That case is Tucker v. Randall, 948 F.2d 388 (7th Cir. 1991). In Tucker, however, the pretrial detainee was not allowed to call anyone, including his lawyer, for four days. Id, at 389. Here, the evidence shows that Plaintiff was not allowed to call any family members during her detention. There is no credible evidence that Defendants refused to allow Plaintiff to call a lawyer. This case is thus more like Harrill v. Blount County, 55 F.3d 1123 (6th Cir. 1995), in which a pretrial detainee was not allowed to call her father but could have called a lawyer. Id. at 1125. In that case, the Sixth Circuit held that the plaintiff's Fourteenth Amendment rights were not violated. Because of the factual similarities between this case and Harrill, the Court holds that Defendants' refusal to allow Plaintiff to call her relatives did not violate the Constitution.

Because Plaintiff has failed to adduce evidence that, viewed in the light most favorable to Plaintiff, could establish a violation of the Fourth or Fourteenth Amendments on the basis of Defendants' alleged "verbal harassment" or refusal to allow Plaintiff to contact her family members, the Court concludes that Defendants' "tactics" have violated no right of Plaintiff's and Defendants are therefore insulated from suit.

<u>A fortiori</u>, the Court holds in the alternative that the doctrine of qualified immunity also shields Defendants from suit because Defendants violated no clearly established right of Plaintiff's to be free of "verbal harassment" or to be allowed to call family members.

IV CONCLUSION

For the reasons set forth above,

IT IS HEREBY ORDERED that Defendants' motion for summary judgment is **GRANTED.**

SO ORDERED.	
Dated:	
	HONORABLE PAUL V. GADOLA
	LINITED STATES DISTRICT JUDGE

Bendzinski & Co.

municipal finance advisors

August 21, 2001

Mr. John M. Lamerato
Assistant Manager/Finance Director
City of Troy
500 West Big Beaver Road
Troy, Michigan 48084-5285



RE:

Not to Exceed \$12,000,000 City of Troy Building Authority, County of Oakland, State of

Michigan, Building Authority (Golf Course)

Dear John:

Enclosed are the originals and one copy, for your files, of the Municipal Finance Division's Notice of Intent to Issue an Obligation for the above referenced issue. We ask that you sign the original, on behalf of the City and have Frank Taube, the Secretary, sign on behalf of the Building Authority, **in blue ink** and return them, along with a check in the amount of \$400.00 payable to the State of Michigan, to:

Ms. Linda Bloch
Miro Weiner & Kramer, A Professional Corporation
38500 Woodward Ave., Suite 100
P.O. Box 908
Bloomfield Hills MI 48303-0908

so that she may coordinate the filing of the same with the Michigan Department of Treasury.

We have also enclosed a revised the time table for this bond issue as found on page two of this letter.

Bendzinski & Co. John Lamerato August 21, 2001 Page 2

TIMETABLE

DATE	ACTION TO BE TAKEN		
06/18/01	City Council awards Project to Developer		
06/22/01	Bendzinski & Co. provides Bond Counsel with bond specifications		
06/28/01	Bond Counsel provide City with Contract of Lease and Bond Resolution		
TO THE PARTY OF TH	for adoption by the Building Authority and City Council		
07/31/01	Building Authority approves Contract of Lease and Bond Resolution		
08/06/01	City Council approves Contract of Lease, Bond Resolution and Notice of		
	Intent to Issue an Obligation		
08/13/01	City publishes Notice of Intent		
08/21/01	Bendzinski & Co. sends out the Notices of Intent to Issue an Obligation		
	Applications to the City and Building Authority for signatures		
08/24/01	Bond Counsel files Notice of Intent to Issue an Obligation with the		
	Michigan Department of Treasury for both the Building Authority and the		
	City		
09/04/01	Michigan Department of Treasury approves the Sale of the Bonds		
09/10/01	Bendzinski & Co. circulates Preliminary Official Statement		
09/17/01	Final comments due on Preliminary Official Statement Draft		
09/27/01	45 Day Referendum Period Expires and Preliminary Official Statement		
	and Bond Documents are forwarded to Rating Agencies		
10/01/01	Design Phase of the Project are completed		
10/04/01	Preliminary Official Statement sent to Printer		
10/05/01	Preliminary Official Statement mailed		
10/05/01	Notice of Sale published in the Bond Buyer		
10/19/01	Bond Sale		
11/01/01	Bond Delivery		

Should you have any questions, or require any additional information, please do not hesitate to call.

Sincerely,

BENDZINSKI & CO. **Municipal Finance Advisors**

Robert C. Bendzinski, CIPFA

RCB/cam Enclosure

cc:

John Szerlag

Doug Smith

Linda Bloch

Doug Treadwell

Gary Shripka Theodore Wilson

S:\lwpdocs\City\Troy\Building Authority 99087\application city.lwp

607 Shelby • Suite 600 • Detroit, Michigan 48226-3206 (313) 961-8222 • FAX (313) 961-8220 e-mail • bencomfa@bendzinski.com

Michi⊜a n Department of Treasury F 330 4 (Rev 6-87)

MAIL TO:

Michigan Department of Treasury Municipal Finance Division

(248) 524-3330

Treasury Building, Lansing, MI 4892

NOTICE OF INTENT TO ISSUE AN OBLIGATION

NAME OF MUNICIPALITY		COUNTY Oakland	T RECENT FISCAL YEAR			
City of Troy Building Authority TITEE OF PROPOSED OBLIGATION Building Authority (Go					June 30, 2001 DATE NOTICE WAS AUTHORIZ	ZED
Series		J. 00		,,, obaios, bollas,	July 31, 2001	
MAXI \$12,0		10UN	T OF PROPOSED OBLIGATION		Y FOR OBLIGATION 48 (FIRST EXTRA SESSION) AS A	MENDED, M.C.L
PUFRF	POSE			······		
			g issued for the purpose of defraying the		new 18-hole golf course located in	
Miro,	Weiner &	k Kran	SS OF BOND ATTORNEY Linda E. Blod ner, A Professional Corporation, 500 N. \	Woodward Ave., Ste.		PHONE (248) 258-1228
NAME Beradz	E AND Al zinski & (DDRE Co., M	SS OF FINANCIAL CONSULTANT OR unicipal Finance Advisors, 607 Shelby,	UNDERWRITER Rob Ste. 600, Detroit, MI 4	ert C. Bendzinski 8226-3206	PHONE (313) 961-8222
and a cc meet th∈ YES	urate in al ∋ following NO	II respe g condi	of Intent and attachments were authorized by ects. I further certify that I have accurately incitions. I request the state treasurer to authorize the municipality has filed with the Departme	dicated by marking the a ze an exception to any p	ppropriate box below whether the munici rior approval in accordance with P.A. 20:	pality does or does not 2 of 1943 as amended.
		1.	120 days after the fiscal year ended (or 180	days if an extension was	s approved by the state treasurer).	nscar year not rater than
	(*************************************	2.	If the answer to #1 is no, the municipality hat preceding fiscal year not later than 120 days treasurer).	is file with the Departments after the fiscal year end	nt of Treasury an audit report, prepared I ded (or 180 days if an extension was app	by a C.P.A., for the next proved by the state
		3.	The municipality did not end its last fiscal year			
		4.	If the answer to #3 is no, a financial plan to			
<u>.</u>		5.	The municipality is not in default in the paym Act.	nent of the principal of o	interest on any of its obligations, wheth	er or not governed by the
×		6.	With respect to all outstanding obligations the requirements of the Act and of the agreements	ne municipality has comp nts under which the obli	olled, within the last three years, with the gations were issued.	set aside and other
×		7.	With respect to all outstanding obligations the municipality is authorized to levy ad valorem property taxes in an amount sufficient to meet the requirements of Section 1a of Chapter VII of the Act.			
×		8.	With respect to all outstanding obligations the	With respect to all outstanding obligations the municipality is in compliance with all covenants governing such obligations.		
×		9.	Within the preceding 12 months the municip A. Taxes withheld on the income of emplo B. Taxes collected by the municipality as C. Any contribution required by a pension	oyees. agent for another taxing	unit.	om the due date:
×		10.	The ad valorem property taxes of the munic regard to any payments from the county del	sipality falling due in the linquent tax revolving fur	preceding fiscal year is not more than 25 nd).	5% delinquent (without
Althougl justificat	h the cond tion indica	ditions ites tha	in the number(s) are not met (answered at, although numbers (circle those applicable)	d "no"), the attached info) 6, 7, 8, 9 are answered	rmation indicates that they are inconseq "no", they will not create the possibility	uential. Additional attacl of a default.
	Ø	11.	The obligation is for the purpose of refunding instructions 9 and 10).	e purpose of refunding an existing obligation or for a qualified school energy or asbestos removal bond (if yes,		
	Ø	12.	The bonds issued pursuant to this application yes, you must also request an allocation of	on will be considered Pri the state ceiling from the	ivate Activity Bonds as defined in the Ta e Department of Treasury, Municipal Fin	x Reform Act of 1986. (I
X X			. The obligation will be rated by a nationally recognized agency The obligation will be sold at public sale.			
The mu	nicipality :	agrees	to file documentation required by Section 10	(1) Chapter III of the Ac	t within 10 days after delivery of the obli	gation to the purchaser.
SIGN	ATURE	OF;AL	JTHORIZED MUNICIPAL OFFICER	OFFICIAL'S I Frank Taube	NAME OFFICIA Secretar	AL'S TITLE Ty
ADDF	RESS (N	o. and	Street, City, State, Zip) City of Troy Bu	ilding Authority	PHONE	

c/o John M. Lamerato, City of Troy; 500 W. Big Beaver Road, Troy, Michigan 48084

MAIL TO:

Michigan Department of Treasury Municipal Finance Division

Treasury Building, Lansing, MI 48922

NOTICE OF INTENT TO ISSUE AN ORLIGATION

			IN TO ISSUE AN OBLIGATION			SELE FIGURE VEAD
NAIME OF MUNICIPALITY City of Troy		COUNTY Oakland	June 30, 2001			
			ED OBLIGATION Golf Course) Bonds, Series 2001		DATE NOTICE WAS AUTHORIZ August 6, 2001	ED
MAXIMUM AMOUNT OF PROPOSED OBLIGATION \$12,000,000			T OF PROPOSED OBLIGATION	LEGAL AUTHORITY FOR OBLIGATION ACT 31 P.A. OF 1948 (FIRST EXTRA SESSION) AS AMENDED, M.C.L		
PUF? The	POSE bonds are	e being	g issued for the purpose of defraying the	cost of constructing	ng a new 18-hole golf course located in t	he City of Troy.
NA E V Miro	IE AND A	DDRE	SS OF BOND ATTORNEY Linda E. Bloner, A Professional Corporation, 500 N.	ch Woodward Ave., S	ite. 100, Bloomfield Hills, MI 48303	PHONE (248) 258-1228
NAIV	E AND A	DDRE	SS OF FINANCIAL CONSULTANT OR lunicipal Finance Advisors, 607 Shelby,	UNDERWRITER	Robert C. Bendzinski	PHONE (313) 961-8222
and a c	curata in s	II reene	ects. I further certify that I have accurately in tions. I request the state treasurer to authori	dicated by marking to ze an exception to a	of this municipality on the date listed above a ne appropriate box below whether the municip ny prior approval in accordance with P.A. 202	of 1943 as amended.
		1.	120 days after the fiscal year ended (or 180	days if an extension		
		2.	If the answer to #1 is no, the municipality had preceding fiscal year not later than 120 day treasurer).	as file with the Depar s after the fiscal year	tment of Treasury an audit report, prepared b ended (or 180 days if an extension was app	y a C.P.A., for the next oved by the state
×		3.	The municipality did not end its last fiscal year with a deficit condition in one or more funds.			
		4.	If the answer to #3 is no, a financial plan to correct the deficit condition has been filed, certified, and instituted as required by law.			
×		5.	The municipality is not in default in the payment of the principal of or interest on any of its obligations, whether or not governed by the Act.			
×		6.	With respect to all outstanding obligations the municipality has complied, within the last three years, with the set aside and other requirements of the Act and of the agreements under which the obligations were issued.			
×	. 🗆	7.	With respect to all outstanding obligations the municipality is authorized to levy ad valorem property taxes in an amount sufficient to meet the requirements of Section 1a of Chapter VII of the Act.			
×		8.	With respect to all outstanding obligations the municipality is in compliance with all covenants governing such obligations.			
×		9.	Within the preceding 12 months the munici A. Taxes withheld on the income of emp B. Taxes collected by the municipality as C. Any contribution required by a pension	loyees. s agent for another ta	I to the appropriate agency within 30 days fro xing unit. efit plan.	m the due date:
×		10.	The ad valorem property taxes of the municipality falling due in the preceding fiscal year is not more than 25% delinquent (without regard to any payments from the county delinquent tax revolving fund).			% delinquent (without
Althou justific	gh the cor ation indic	nditions ates th	in the number(s) are not met (answere at, although numbers (circle those applicable	ed "no"), the attached e) 6, 7, 8, 9 are answ	I information indicates that they are inconseq ered "no", they will not create the possibility o	uential. Additional attaci of a default.
	Ø		The obligation is for the purpose of refunding an existing obligation or for a qualified school energy or asbestos removal bond (if yes, instructions 9 and 10).			
	×	12.	The bonds issued pursuant to this applicat yes, you must also request an allocation o	application will be considered Private Activity Bonds as defined in the Tax Reform Act of 1986. (Industrial Private Activity Bonds as defined in the Tax Reform Act of 1986. (Industrial Private Activity Bonds as defined in the Tax Reform Act of 1986. (Industrial Private Activity Bonds as defined in the Tax Reform Act of 1986.)		
X		13. 14.	The obligation will be rated by a nationally The obligation will be sold at public sale.	recognized agency.		
The m	nunicipality	agree:	s to file documentation required by Section 1	0(1) Chapter III of the	e Act within 10 days after delivery of the oblig	pation to the purchaser.

SIGNATURE OF AUTHORIZED MUNICIPAL OFFICER OFFICIAL'S NAME OFFICIAL'S TITLE Asst. City Manager/Finance D John M. Lamarato PHONE

ADDRESS (No. and Street, City, State, Zip) City of Troy, 500 W. Big Beaver Road, Troy Michigan 48084

(248) 524-3330

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Charles T. Craft, Chief of Police

SUBJECT: Adult Foster Care Facility Located at 6440 Livernois

At a recent City Council meeting Councilman Pallotta asked for information regarding requests for police service at the adult care facility located at 6440 Livernois.

The facility in question is owned and operated by Assisted Living Services Incorporated. The home serves the developmentally disabled and has a capacity of 4 residents (information obtained from the Bureau of Regulatory Services website). As of May 17, 2001 officers had responded to the location 19 times. The most frequent request for service involved missing persons (7 complaints). In response to the numerous calls for service generated by the home, as well the nature of those calls, police department personnel notified the Family Independence Agency (FIA) in writing of our concerns and requested assistance in correcting the problems. In response to our contact FIA reported they placed the home on probation.

On July 27, 2001, officers were again summonsed to the location on the report of an unruly resident who was attempting to flee the facility. The police report indicates that only one staff person was on-duty and was having trouble restraining the resident. Sergeant Michael Crocker contacted the manager of the facility and advised her of the situation. He also contacted the FIA and apprised them of the situation. FIA indicated they believed this incident would result in the revocation of the facilities license. Sergeant Crocker is assigned to follow-up on the matter.

As of this date we have no additional information regarding the status of the license.

CTC/ctc

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

Steven Vandette, City Engineer

SUBJECT: Ditch Construction at 6336 Donaldson, Section 3 Water Main Project

BACKGROUND

Mrs. Mueller, 6336 Donaldson, has complained that the ditch in front of her house was left too steep following replacement of the water main on Donaldson Street. This ditch was reconstructed along with all the ditches on 12 streets located southeast of Rochester Road and South Blvd. in connection the Section 3 Water Main project. She indicated that she was able to mow the ditch prior to construction but can no longer do it with her riding mower and cannot afford a lawn service. Mrs. Mueller called the engineering department, spoke to Louise Schilling and Anthony Pallotta, and both have contacted the engineering department concerning her complaint.

The water mains were replaced during late 1999 and early 2000. Ditch work was done in the spring of 2000 and completed in June. Mrs. Mueller first contacted the engineering department concerning her ditch problem on August 24, 2000. After investigating her complaint it was determined that ditch had some irregularities in the side slopes, some spots were more or less than the required 4' horizontal on 1' vertical side slope, but overall the ditch and side slopes met city specification. As a result, this ditch was not put on the punch list. The punch list containing repair items was sent to the Contractor in September. Late last fall after the punch list work had been completed, engineering was contacted by Louise Schilling and another investigation into this matter was conducted. It was determined that the side slope of the ditch east of the drive was slightly more than 4 on 1 due to a tree near the ditch line. Not wanting the dig back into the roots of this tree, the resulting ditch side slope appeared a little steeper than 4 on 1 at this location. Since it was too late in the season for ditching and sod work, Mrs. Mueller was advised that her ditch would be reworked in the spring as part of the follow up paving contract for the Section 3 water main project area.

In May of this year Mrs. Mueller's driveway culvert was extended 35 feet east. This work resulted in an enclosed ditch line with a swale along the middle to direct water to a catch basin at her east property line. Also, approximately 30 feet of the ditch west of the driveway was reshaped to flatten the side slopes as much as possible between the road and right-of-way line. New sod was laid over the entire area. Approximately 40% of her frontage is now enclosed. The remaining ditch on the east side of her property is

The Honorable Mayor and City Council August 29, 2001 Page 2 of 4

25 feet in length, on the west side there is 65 feet. The ditch on the east side cannot be enclosed due to the property grade being much lower than the street. Enclosing this section would result in top of pipe being at or higher than the surface of the ground on the house side of the ditch. The ditch side slopes on both sides of the driveway are flatter that city standard specifications of 4' horizontal on 1' vertical. Mrs. Mueller's ditch side slopes range from 4.4' on 1' to 1' on 6'. These side slopes are similar to her neighbor's ditch to the north (see attached survey) and consistent with the ditches on 12 streets that were reconstructed following the Section 3 water main project. Within the project limits, there are approximately 550 properties with ditches of similar width and side slopes, some deeper than others due to varying distances between high points and ditch outlet points, topography of the area, right-of-way width and other factors, but all are as flat as they can be within the limits of the right-of-way.

ADDITIONAL INFORMATION

The existing ditch line prior to construction had silted up over the years to the point where only the top quarter of the culvert under Mrs. Mueller's driveway was visible. The rest of the pipe, and the ditch line, were filled with dirt, which resulted in a ditch that was shallower than when it was originally constructed and had much less flow capacity.

The area north of Donaldson, north of Lovell Street, was known for roadside drainage problems and water over the roads. This was a long-standing and persistent problem during heavy storms. The Dennis Powers Drain project, scheduled to begin after Labor Day, is a \$2.8 million dollar project within part of the Section 3 water main project area that is designed to alleviate long-standing drainage problems in the area. This type of project, not proposed for Donaldson Street or the immediate area, is part of the Master Storm Drainage Plan Update that identified \$39 million in storm drainage improvements within various districts in the city. Donaldson Street was not one that was identified as a street having a significant drainage concern.

DITCH ENCLOSURES

Mrs. Mueller's property is in a subdivision that has 60-foot right-of-ways, open ditches, no sidewalks and no storm sewer. This is common for a subdivision platted in the 1950's and common in many sections of the city.

The Honorable Mayor and City Council August 29, 2001 Page 3 of 4

The disadvantage to having no storm sewer, aside from a higher flooding potential, is that ditch enclosures for the <u>entire</u> subdivision cannot be permitted. There are two reasons for this. One is that enclosure between existing 12-inch driveway culverts with 12 inch corrugated metal pipe creates a shallow 12-inch diameter storm sewer system that does not have enough capacity to handle a 10-year storm. With all the ditches gone, replaced by relatively flat shallow swales with little storage capacity, floodwaters threaten homes and flood streets.

The second reason is that enclosing the ditches with larger pipes to handle a 10-year storm is generally not possible. The larger diameter pipes must be set deeper and deeper in the ground as the system approaches the drain outlet. With the outlet usually being an open drain, the large diameter culvert pipe ends up being below the bottom of the drain.

Whereas 100% ditch enclosure is not possible in subdivisions with open drains due to a high potential for flooding, approximately 20 to 30% of the ditch lines can be enclosed without causing serious problems. Since the city cannot provide everyone with ditch enclosures in these types of areas, ditch enclosure is left as a homeowner option for owners who may desire easier maintenance or enhanced appearance of their property. The cost of ditch enclosure is the homeowner's responsibility. This is a policy practiced by our neighboring communities and has been the policy of the Troy for as long as the city has been a city. The engineering department has a permit application for those who wish to enclose their ditch. Each enclosure requires a catch basin in the middle and a swale leading to the basin. Existing enclosures are noted in the field prior to issuing a permit to avoid flooding due to an over concentration of enclosures on the street, or other site related factors that could cause problems.

NEW STORM SEWERS MEAN SHALLOWER DITCHES

The Dennis Powers Drain project includes drainage improvements on Donaldson, Westaway, Montclair and Norton Streets (all north of Lovell Street) and Lowell Street between Donaldson and Rochester Road. All of these streets are asphalt or gravel with open ditches. This project will construct sewers on all streets, allowing for shallow ditches and catch basins within the ditch lines. These catch basins will convey runoff to the storm sewer, generally located under one side of the road. There are no catch basins in the road. The existing ditch line will be made shallower, but not enclosed, except where property owners have previously paid to enclose their ditch. Total enclosure throughout the entire project is not being done due to the potential for

The Honorable Mayor and City Council August 29, 2001 Page 4 of 4

flooding that would result. Despite the fact that the new sewer is designed for a 10-year storm event (1.8 inches in one hour), there will be storms exceeding this intensity that will cause temporary, localized flooding. The shallow ditch lines will provide storage capacity for these larger storms that is particularly important in Section 3 where the lots are fairly flat, homes and garages are not elevated as high as today's standard, and the potential for property damage from flooding is relatively high.

ELIMINATING DITCH LINES

In order to eliminate the ditch lines the existing asphalt roadways would need to be reconstructed to a curb and gutter type of street with catch basins located along the roadway. The sewer would be designed for a ten-year storm. The roadway with curb and gutter would provide additional storage capacity during storms of greater intensity, thereby protecting property from potential flooding. The cost of constructing concrete streets with curb and gutter within the Dennis Powers Drain area is estimated at \$1 million dollars per mile. The estimated cost for the entire area is \$2.5 million, not including storm sewers. With the cost of Dennis Powers Drain at \$2.8 million, the estimated total cost of eliminating all ditches, providing streets with curb and gutter, catch basins and storm drains is \$5.3 million.

The streets outside the Dennis Powers Drain area within the Section 3 Water Main project, including Mrs. Mueller's property on Donaldson Street, do not have storm sewers. The estimated construction cost of storm sewers for these streets is \$7.2 million dollars. The estimated cost of concrete streets with curb and gutter is \$6.5 million. The estimated total cost of eliminating all ditches, providing streets with curb and gutter, catch basins and storm drains is \$13.7 million.



6336 DONALDSON
DITCH LINE LOOKING EAST



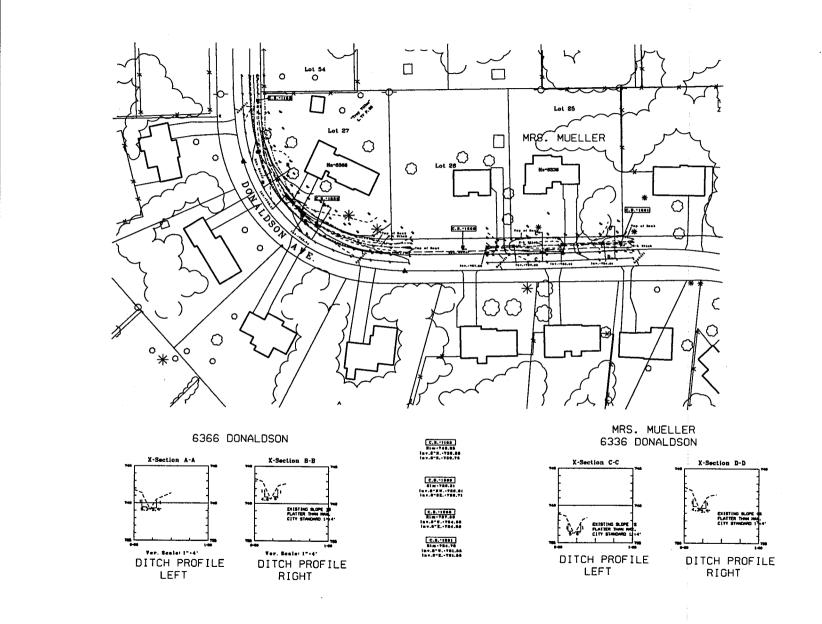
DITCH LINE REGRADING LIMITS



DITCH LINE LOOKING WEST



6336 DONALDSON DITCH ENCLOSURE EAST OF DRIVE



CITY OF TROY
ONLING COMPT, NOTICES

Ditch Survey
H=6336 & H=6368 Donaldson

Ext None of Notice o

...\olk6f\donaldson_complete.dgn Sep. 05, 2001 16:02:52

August 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager/Services

William Need, Director of Public Works

Steven Vandette, City Engineer

SUBJECT: Engineering Solution to Parking on Arlund Way

Section 7, East of Adams Road

Arlund Way is a two lane, residential road that connects with Adams Road on the west and Beach Road on the east. It has a paved width of 22 feet and a double yellow line along the middle that runs the length of the road.

There are no homes fronting on the easterly two thirds of the road, from the curve on Arlund Way to Beach, due to I-75 immediately to the north and Hickory Heights subdivision to the south that backs up to Arlund Way. Andover Street provides access to the subdivision just east of the Arlund Way curve.

There are two homes on the north side of Arlund and three on the south side between Adams and the Hickory Heights subdivision.

The existing water main and hydrants are located along the south side of Arlund for its entire length between Adams and Beach.

The easterly two thirds or approximately 1,340 feet of the Arlund Way, from Beach to the westerly line of the Hickory Heights North subdivision has a guardrail along the north side. This guardrail is necessary due to the steep slope beyond the guardrail between Arlund and F75. It would not be practical or economically feasible along this segment to construct a shoulder area for parking. Furthermore, there are no homes with driveways to Arlund along this segment, since all of the homes front on subdivision streets. Parking for these homes is available on the streets within the subdivision.

The existing water main and hydrants are located along the south side of Arlund Way. From Beach to the westerly line of the Hickory Heights North subdivision, approximately 1,340 feet, parking is prohibited due to this being the hydrant side of the street, but parking is not necessary due to no homes along Arlund that front on this segment of the road.

The Honorable Mayor and City Council August 29, 2001 Page 2 of 2

For the two homes on the north side (non-hydrant side) of Arlund between Adams and the curve, parking could be made available with some removal of trees and brush. Approximately 12 trees ranging in size from 8" to 12" require removal along with some brushy trees and tree limbs. While this would reduce the width of the screen between the houses and the road, it would not entirely remove it. For parking to occur along the north side, there would also be a need to do some light grading and lawn restoration along the road to provide a suitable off road area for parking. The Public Works Department could do this work. The estimated cost is \$3,500. Brush clearing and tree removal would be contracted out at an estimated cost of \$9,000. The total cost of this work to provide parking on a portion of the north side of Arlund Way is \$12,500. This work would provide space for approximately 20 cars.

It should be noted that most of the area where cars could be parked abuts 2800 Arlund Way. This property owner does not want parking along his side; he favors parking on the south side of the street. Prior to proceeding with any parking plan it is recommended that staff meet and receive input from Arlund Way residents.

The same type of work, light clearing and tree/brush removal, could be done along the south side of Arlund Way where there are two homes with long driveways onto Arlund, but parking is prohibited in Troy along the hydrant side of the street.

City Management recommends that Council upholds Resolution #2001-08-402 adopted on August 6, 2001 that prohibits parking on both the north and south sides of Arlund Way.

G:\Council Reports and Communications\Arlund Way Parking.doc



ARLUND WAY LOOKING WEST, POTENTIAL PARKING ALONG NORTH SIDE

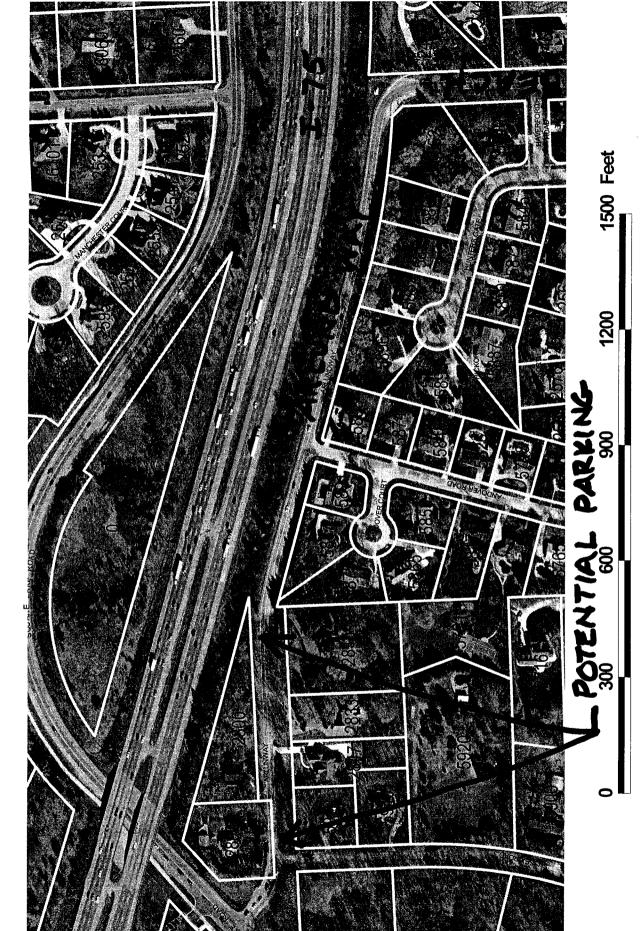


ARLUND WAY LOOKING EAST AT CURVE, NO PARKING ALONG GUARD RAIL, HYDRANTS ALONG SOUTH SIDE



ARLUND WAY LOOKING EAST, POTENTIAL PARKING ALONG NORTH SIDE, HYDRANTS ALONG SOUTH SIDE





September 4, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager / Services

William Nelson, Fire Chief Charles Craft, Police Chief

Mark Stimac, Director of Building and Zoning

SUBJECT: Award of Contract for Construction Manager for the

Fire Administration Police Department Renovation and Addition

J. M. Olson Corporation

RECOMMENDATION

A proposal from J. M. Olson Corporation to provide construction management services for the Fire Administration Police Department Renovation and Addition to City Hall is attached. Staff recommends that the City Manager be authorized to negotiate a contract for construction management services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539 in accordance with the proposal dated July 23, 2001.

EXPLANATION OF SERVICES AND COSTS

The total cost of their services for this project is \$1,123,539. This amount includes \$32.525 for pre-construction services and \$612.912 for the construction phase services. It also includes \$320,000 for general conditions and \$139,765 for insurance and testing as part of the construction phase. In addition a fee of \$38,362 was quoted for administering the furniture, fixtures, and equipment budget of \$1,200,000. Finally an amount, not to exceed \$12,500, is budgeted for reimbursable expenses for administering the project. These amounts are inline with the proposed budget that was prepared by Redstone Architects, Inc., the Architect for the project. In addition there is additional benefit to having the same Construction Manager for all our projects.

RESOLUTION:

RESOLVED, that the proposal for Construction Management Services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539 is hereby approved and the Troy City Manager is hereby authorized to negotiate a contract in accordance with their proposal dated July 23, 2001.

September 4, 2001

TO:

Honorable Mayor and City Council

FROM:

John Szerlag, City Manager

Gary A. Shripka, Assistant City Manager / Services

William Nelson, Fire Chief WW Charles Craft, Police Chief

Mark Stimac, Director of Building and Zoning

SUBJECT:

Award of Contract for Construction Manager for the

Fire Administration Police Department Renovation and Addition

J. M. Olson Corporation

RECOMMENDATION

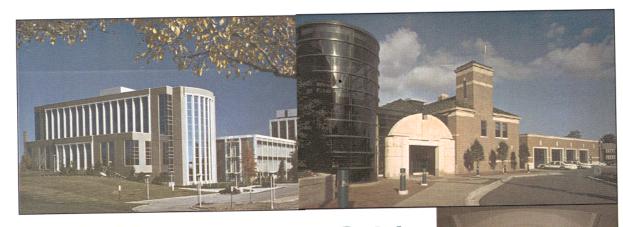
A negotiated proposal from J. M. Olson Corporation to provide construction management services for the Fire Administration Police Department Renovation and Addition to City Hall is attached. Staff recommends that the City Manager be authorized to execute a contract for construction management services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539 in accordance with the proposal dated July 23, 2001.

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RESOLUTION:

RESOLVED, that the negotiated contract for Construction Management Services with the J. M. Olson Corporation for an amount not to exceed \$1,123,539 is hereby approved and the Troy City Manager is hereby authorized to execute the contract in accordance with their proposal dated July 23, 2001.



COST PROPOSAL Fire Administration Police Department Renovation and Addition City Of Troy

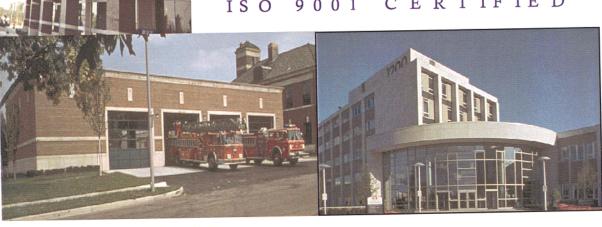
JULY 23, 2001



JM OLSON

CORPORATION

9001 CERTIFIED



CITY OF TROY FIRE ADMINISTRATION POLICE DEPARTMENT – RENOVATION AND ADDITION

		Percent	Estimated Cost
1.	Not-to-exceed fee for Pre-Construction Services.*	0.32%	\$32,525
2.	Not-to-exceed cost for Pre-Construction Services		
	Reimbursable cost.*	0.12%	\$12,500
3.	Not-to-exceed percentage fee for the construction		
	Phase.*	3.20%	\$320,000
4.	Total General Conditions costs for the construction		
	Phase, including reimbursable expenses.*	6.12%	\$612,912
4a	Testing Cost (allowance)	0.40%	\$40,000
4b	General Liability Insurance.*	0.20%	\$20,020
4c	Bond Costs.*	0.58%	\$58,057
4d	Builder's Risk (\$0.10/\$100 per year).*	0.22%	\$21,688
5	Not-to-exceed cost, based upon a percentage of the		
	FF&E budget of \$1,200,000.	3.20%	\$38,362
6	Total general Conditions cost for FF&E	w/item 4	\$0
7	Total cost of all services.*		\$1,123,539
	Percentage Fee for changes to the work (add/deduc	et)	
	during the construction phase:	Adds	_
		Deduc	cts @ 0%
	*Cost Basis for Calculations		\$10,009,846
	** Total Cost of Fee & General Conditions Equals		\$1,123,539

 PROJECT
 FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION
 EST NO:

 OWNER:
 CITY OF TROY
 TIME: 11:14 AM

 LOCATION:
 TROY
 START 2/14/02
 DATE: 7/23/01

 BID 10:
 CITY OF TROY
 FINISH 4/24/04
 BUDGET \$10:009.846

 BID DATE:
 7-23-01 @ 2:00PM
 DURATION 800
 BUDGET \$10:009.846

D TO: D DATE:	CITY OF TROY 7-23-01 @ 2:00PM		NISH <u>4/24/04</u> TION 800				BUDGET	\$10,009.846
D DATE:	7-25-01 @ 200FM	DUKA	110N 800		26	MONTHS	114	WEEKS
CODE	WORK ITEM	NOTES	HOURLY RATE	PERCENTAGE	QUANTITY .	RATE	UNIT	TOTAL
	HOME OFFICE SERVICES							
	PROJECT EXECUTIVE	NOT APPLICABLE	\$0.00	0.00%	114	\$0	WK	<u> </u>
	PROJECT MANAGER - PRECON	SEE PRE CON SERVICES	\$0.00	0.00%	9	\$0	WK	
	PROJECT MANAGER - CONSTRUCTION PROJECT MANAGER - CLOSE OUT	1.5 DAY PER WEEK HOME OFFICE	\$64.00 \$64.00	30.00% 30.00%	114	\$2,560 \$2,560	WK WK	\$87, \$1.
	SCHEDULING	BY SUPERINTENDENT	\$0.00	0.00%	114	\$2,360	WK	31,
	ESTIMATING	ALLOW	\$57.50	100.00%	7	\$2,300	WK	\$14,
	PROJECT ENGINEER - PRECON	SEE PRE CON SERVICES	\$35.00	0.00%	i	\$1,400	WK	
	PROJECT ENGINEER - CONSTRUCTION	3.0 DAY PER WEEK	\$35.00	60.00%	114	\$1,400	WK	\$96,
	PROJECT ENGINEER - CLOSE OUT	3.0 DAY PER WEEK	\$35.00	60.00%	2	\$1,400	WK	\$1,
	SAFETY OFFICER	BY SUPERINTENDENT	\$35.00	0.00%	114	\$1,400	WK	
	ACCOUNTING	HOME OFFICE			\$10,010	\$0.50	M	\$5,
	SECRETARIAL & CLERICAL DATA PROCESSING	3.0 DAY PER WEEK	\$23.75	40.00%	26	\$950	WK	\$10,
80039	TOTAL HOME OFFICE	HOME OFFICE			\$10,010	\$0.32	M	\$3,
	ON-SITE STAFF							\$220,
80102	SUPERINTENDENT - PRECON	SEE PRE CON SERVICES	\$50.63	0.00%	1 7	\$2,025	wĸ	
	SUPERINTENDENT - CONSTRUCTION	FULL TIME ON SITE	\$50.63	100.00%	114	\$2,025	WK	\$231,
	SUPERINTENDENT - CLOSEOUT	NOT APPLICABLE	\$50.63	0.00%	0	\$2,025	WK	······································
	ASST. SUPERINTENDENT	PART TIME	\$33.75	0.00%	114	\$1,350	WK	######################################
	PROJECT ENGINEER	NOT APPLICABLE	\$33.75	0.00%	114	\$1,350	WK	
80057	SAFETY OFFICER	BY SUPERINTENDENT	\$50.63	0.00%	114	\$2,025	WK	
	FIELD ENGINEER	NOT APPLICABLE	\$33.75	0.00%	114	\$1,350	WK	
	FIELD ACCOUNTANT	NOT APPLICABLE	\$0.00	0.00%	114	\$0	WK	
	SECRETARIAL & CLERICAL	NOT APPLICABLE	\$23.75	0.00%	114	\$950	WK	
	LABORERS	BY TRADES	\$0.00	0.00%	114	\$0	WK	
	INDEPENDENT SURVEYOR	REIMBURSABLE			12	\$1,000	DAY	\$12,
80110	TEMPORARY CLERICAL	NOT APPLICABLE	\$37.50	0.00%	114	\$1,500	WK	
	TOTAL ON-SITE STAFF		 					\$243,
	TRAVEL & LODGING STAFF TRAVEL - OUT CITY	DEIMBURGARI E			10.000		- AGT FG	***
	STAFF TRAVEL - OUT CITY	REIMBURSABLE			10,000	0.31	MILES	\$3.
	ON-SITE PROJ. MGRS. TRANSPORT	INCLUDED INCLUDED						
	SUPERINTENDENT TRANSPORT	INCLUDED						
	ENGINEERS TRANSPORT	INCLUDED						
	PROJ. STF. RELOCATE EXP.	NOT APPLICABLE						
	PROJECT STAFF SUBSISTENCE COST	NOT APPLICABLE						
00.007	TOTAL TRAVEL AND LODGING	1101141 BECIBEE			-			\$3,
	TEMPORARY FACILITIES							Ψυ
80201	SAFETY EQUIPMENT	BY TRADES		0.00%	ol	\$0	МО	
	FIRST AID SUPPLIES	INCLUDED		100.00%	26	\$150	MO	\$3
	HANDRAILS AND TOEBOARDS	BY TRADES		0.00%	<u> </u>	\$0	LF	
	SAFETY PROTECTION	BY TRADES		0.00%	ol	\$0	МО	
80205	FIRE EXTINGUISHERS	INCLUDED		100.00%	8	\$50	EA.	
	WATCHMAN SERVICE	NOT APPLICABLE		0.00%	0	\$0	MO	
80207	OFFICE TRAILER RENTAL	INCLUDED		100.00%	26	\$450	MO	\$11
	OFFICE TRAILER SET UP	INCLUDED		100.00%	2	\$275	EA.	
	STORAGE TRAILER RENTAL	REIMBURSABLE		0.00%	0	\$0	MO	
	WATER COOLER	INCLUDED		100.00%	26	\$35	МО	
	TEMPORARY TOILETS	INCLUDED		200.00%	26	\$200	МО	\$10
	TEMPORARY STAIRS	BY TRADES		0.00%	0	\$0	MO	
	TEMPORARY ENCLOSURES	BY TRADES		0.00%	0	\$0	SF	
	PROJECT SIGNS	INCLUDED		100.00%	1	\$3,000	EA.	\$3
	BULLETIN BOARDS	REIMBURSABLE		0.00%	0	\$0	EA.	
	TEMPORARY FENCING COVERED WALKWAYS	BY TRADES		0.00%	0	\$0	LF	
	BARRICADES	BY TRADES BY TRADES		0.00% 0.00%	0	\$0 \$0	LF LF	
	SAFETY NETS	BY TRADES		0.00%	9	\$0	LF	
	SECURITY GUARD	REIMBURSABLE		0.00%	9	\$0	MO	
	WEATHED DECTROM	BY TRADES		0.00%	0	\$0	MO	······
	WINTER CONDITIONS	BY TRADES		0.00%	Ö	\$0	MO	
	POSTAGE	REIMBURSABLE		0.00%	ŏ	\$0	MO	
80233				100.00%	26	\$50	MO	\$1
80234	COPY MACHINE			100.00%	26	\$300	МО	\$7
	OFFICE EQUIPMENT			100.00%	26	\$25	MO	
	OFFICE EQUIP. RENTAL			0.00%	0	\$0	MO	
	OFFICE SUPPLIES			100.00%	26	\$75	MO	\$1
	COMPUTER LEASING	SUPT.		100.00%	26	\$350	MO	\$9
	FIELD OFFICE MISC.			0.00%	0	\$0	MO	
	TOTAL TEMPORARY FACILITIES				T			\$52
	TEMPORARY UTILITIES & SERVICE							·
	TELEPHONE EXPENSE MOBIL	INCLUDED		100.00%	26	\$400	MO	\$10
	TELEPHONE EXPENSE FIELD OFFICE	INCLUDED		100.00%	26	\$600	MO	\$15
	TEMPORARY POWER SERVICE	BY TRADES		0.00%	0	\$0	LS	
	POWER EXPENSE	BY OWNER		0.00%	0	\$0	МО	,,
	TEMPORARY WATER SERVICE	NOT APPLICABLE		0.00%	0	\$0	EA.	
	TEMPORARY GAS SERVICE	NOT APPLICABLE		0.00%	0	\$0	EA.	
80256	TEMPORARY HEATING SERVICE	BY TRADES		0.00%	0	\$0	EA.	
		BY OWNER		0.00%	0	\$0	MO	
80257	HEATING EXPENSE TEMPORARY LIGHTING AND POWER	BY TRADES		0.00%	o	\$0	MO	

PROJECT OWNER: CITY OF TROY

LOCATION: TROY

BID TO: CITY OF TROY

PROJECT OF TROY

START

START

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

START

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

START

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

START

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

BID TO: CITY OF TROY

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

START

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

BID TO: CITY OF TROY

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

FINE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADMINISTRATION POLICE DEPARTMENT - RENOVATION POLICE DEPARTMENT - RENOVA

START 2/14/02 FINISH 4/24/04

EST NO: TIME: 11:14 AM DATE: 7/23/01 BUDGET \$10.009.846

	CITY OF TROY	FINISH 4/24 DURATION 800					BUDGET 3	10.003.040
BID DATE:	7-23-01 @ 2:00PM	DUKATION 600	•		26	MONTHS	114	WEEKS
CODE	WORK ELEM	NOTES . I	OURLY RATE	PERCENTAGE	QUANTITY	RATE	UNIT	TOTAL
CODE	WORK ITEM		IOURET KATE			\$0		\$0
	GENERAL CLEAN UP	SEE LABORERS		0.00% 100.00%	70,400	\$0.30	MO SF	\$21,120
	FINAL CLEAN UP	INCLUDED DV TD ADEC		0.00%	70,400	\$0	EA.	\$0
	DEBRIS HAULING / REMOVAL	BY TRADES		0.00%	0	\$0	WK	\$0
	JANITORIAL	REIMBURSABLE BY TO A DES		0.00%	0	\$0	SF	\$0
	TEMPORARY ROAD INSTALLATION	BY TRADES BY TRADES		0.00%	0	\$0	SF	\$0
	TEMPORARY ROAD MAINTENANCE	BY TRADES		0.00%	ŏ	\$0	МО	\$0
	SNOW REMOVAL			0.00%	0	\$0	MO	\$0
	DUST CONTROL	BY TRADES		0.00%	ő	\$0	EA.	\$0
	TEMPORARY SEWER EXPENSE	NOT APPLICABLE NOT APPLICABLE		0.00%	ol ol	\$0	MO	\$0
	TWO WAY RADIO			0.00%	0	\$0	EA.	\$0
	TRASH CHUTE	BY TRADES INCLUDED		100.00%	Ť	\$2,000	LS	\$2,000
	WINDOW CLEANING	INCLODED		100.00%				\$49,514
	TOTAL TEMPORARY UTILITIES & SERVICE							\$0
	ON-SITE EQUIPMENT	NOT APPLICABLE		0.00%	o	\$0	МО	\$0
	AUTOMOBILE AND FUEL	NOT APPLICABLE NOT APPLICABLE		0.00%	0	\$0	MO	\$0
	STAKE TRUCK AND FUEL	NOT APPLICABLE NOT APPLICABLE		0.00%	ŏ	\$0	WK	\$0
	TEAMSTER	NOT APPLICABLE NOT APPLICABLE		0.00%	0	\$0	WK	\$0
	AIR COMPRESSOR AND FUEL	NOT APPLICABLE		0.00%	Ö	\$0	WK	\$0
	GENERATOR AND FUEL	NOT APPLICABLE		0.00%	Ŏ	\$0	EA.	\$0
	TIRES AND MAINTENANCE	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
	MILEAGE REIMBURSEMENT			0.00%	0	\$0	WK	\$0
	EQUIPMENT RENTAL	NOT APPLICABLE		0.00%	Ť			\$0
	TOTAL ON-SITE EQUIPMENT				-			\$0
	VERTICAL HOISTING	BY TRADES		0.00%	0	\$0	МО	\$0
	HOIST AND TOWER CRANE			0.00%	ŏ	\$0	WK	\$0
	HOIST OPERATOR	BY TRADES		0.00%	0	\$0	EA.	\$0
	ELEVATOR PROTECTION	BY TRADES BY TRADES		0.00%	ŏ	\$0	WK	\$0
	ELEVATOR OPERATOR	BY TRADES		0.00%	0	\$0	MO	\$0
	CRANE RENTAL	BY TRADES		0.00%	Ö	\$0	WK	\$0
	CRANE OPERATORS FORKLIFT RENTAL	BY TRADES		0.00%	Ö	\$0	МО	\$0
	FORKLIFT RENTAL FORKLIFT OPERATORS	BY TRADES		0.00%	Ō	\$0	WK	\$0
80330		DI IRADES						\$0
	TOTAL VERTICAL HOISTING REPRODUCTION AND PRINTING							\$0
00451		BY ARCHITECT		100.00%	0	\$0	EA.	\$0
	BID PACKAGE DOCUMENTS	ALLOW		0.00%	100	\$100	EA.	\$10,000
	BIDDING INSTRUCTIONS CONSTRUCTION DOCUMENTS	BY ARCHITECT		0.00%	0		EA.	\$0
	1	INCLUDED		0.00%	0		EA.	\$0
	POSTAGE	BY TRADES		0.00%	0		EA.	\$0
	AS-BUILT-DRAFTING	INCLUDED		0.00%	0	\$0	EA.	\$0
	AS-BUILT-PRINTING REFERENCE MATERIALS	BY TRADES		0.00%	0		EA.	\$0
	B JOB SITE DUPLICATION	INCLUDED		0.00%	0	\$0	MO	\$0
	SHOP DRAWING PRINTING	INCLUDED		0.00%	0	\$0	EA.	\$0
	MAINTENANCE MANUALS	INCLUDED		0.00%	0	\$0	EA.	\$0
	OPERATION MANUALS	INCLUDED		0.00%	0	\$0	EA.	\$0
00402	TOTAL REPRODUCTION AND PRINTING							\$10,000
	OUALITY CONTROL AND TESTING							\$0
80501	SPECIAL INSPECTION	BY OWNER		0.00%	0	\$0	EA.	\$0
00301	DRUG TESTING	NOT APPLICABLE		0.00%	0		EA.	\$0
80502	SPECIAL TESTING	REIMBURSABLE		0.00%	1	\$0	LS	\$0
	CONCRETE TESTING	REIMBURSABLE ADD COST		0.00%	0			\$0
	MASONRY TESTING	REIMBURSABLE ADD COST		0.00%	0			\$0
	COMPACTION TESTING	REIMBURSABLE ADD COST		0.00%	0		EA.	\$0
	SOILS INVESTIGATION	BY OWNER		0.00%	0		EA.	\$0
	7 SPECIAL TESTING SERVICES	BY OWNER		0.00%	0		EA.	\$0
	PROJECT PHOTOGRAPHS	REIMBURSABLE		0.00%	26		EA.	\$7,918
	WARRANTY INSPECTIONS	BY TRADES		0.00%	0	\$0		\$0
	AIR AND WATER BALANCING	BY TRADES		0.00%	0	\$0	EA.	\$0
	TOTAL QUALITY CONTROL AND TESTING							\$7,918
	PERMITS AND SPECIAL FEES					<u> </u>	 	\$0
80551	1 GRADING PERMIT	BY OWNER		0.00%	0			\$0
	2 PARKING LOT RENTAL	NOT APPLICABLE		0.00%	0			\$0
	3 EMPLOYEE PARKING FEES	NOT APPLICABLE		0.00%	0			\$0
	4 CURB AND GUTTER PERMITS	BY OWNER		0.00%	0			\$0
	S SIGN PERMITS	BY OWNER		0.00%				\$0
	6 STAKING FEES	BY OWNER		0.00%				\$0
	7 SIDEWALK PERMITS	BY OWNER		0.00%				\$0
80558	8 LANDSCAPE PERMITS	BY OWNER		0.00%				\$0
80559	9 STREET / CURB DESIGN CHARGE	BY OWNER		0.00%				\$0
	O GENERAL BUILDING PERMIT	BY OWNER		0.00%				\$(\$(
	1 TRADE PERMITS	BY TRADES		0.00%				
	2 PLAN REVIEW FEES	BY OWNER		0.00%	·			\$(
	3 WATER CONNECTION FEE	BY OWNER		0.00%				\$(
	4 SANITARY CONNECTION FEES	BY OWNER		0.00%				\$
	5 STORM CONNECTION FEES	BY OWNER		0.00%				\$4
8056	6 GAS SERVICE FEE	REIMBURSABLE		0.009				\$(
	OJOAD SERVICETEE				6	\$0	EA.	\$0
80566	7 POWER SERVICE FEE	REIMBURSABLE		0.009				
80566 8056		REIMBURSABLE NOT APPLICABLE		0.009	, (\$0	EA.	\$0
80566 80566 80566	7 POWER SERVICE FEE			0.009	, (\$0 \$0 \$0	EA. EA.	\$0 \$0
80566 80566 80569	7 POWER SERVICE FEE 8 STEAM SERVICE FEE	NOT APPLICABLE		0.009		\$0 \$0 \$0 \$0	EA. EA. EA.	\$

PROJECT OWNER: LOCATION: BID TO: BID DATE:	FIRE ADMINISTRATION POLICE DEPART CITY OF TROY TROY CITY OF TROY 7-23-01 @ 2:00PM	STAR	I 2/14/02 I 4/24/04 N 800				DATE:	11:14 AM 7/23/01 \$10.009.846
					26	MONTHS	114	WEEKS
CODE	WORK ITEM	NOTES	HOURLY RATE	PERCENTAGE	QUANTITY	RATE	UNIT	TOTAL
80572	ZONING FEES / CONSULTANTS	BY OWNER		0.00%	0	\$0	EA.	\$0
	TOTAL PERMITS AND SPECIAL FEES				1			\$0
	INSURANCE AND BONDS							\$0
80601	BUILDERS RISK INSURANCE	ADD COST		0.00%		0.000	M	\$0
1	OWNERS PROTECTIVE INSURANCE	BY OWNER		0.00%		0.000	M	\$0
80602	GENERAL LIABILITY	SEE PROPOSAL		0.00%		0.00%	EA.	\$0
	WORKMEN'S COMPENSATION	INCLUDED IN PERSONAL RATES		0.00%	0	\$0	EA.	\$0
80604	FICA INSURANCE	INCLUDED IN PERSONAL RATES		0.00%	0	\$0	EA.	\$0
	FEDERAL UNEMPLOYMENT	INCLUDED IN PERSONAL RATES		0.00%	0	\$0	EA.	\$0
	STATE UNEMPLOYMENT	INCLUDED IN PERSONAL RATES		0.00%	0	\$0	EA.	\$0
	PERFORMANCE PAYMENT BOND	ADD COST		0.00%	10,009,846	0.00%	EA.	\$0
80608	STREET / PROPERTY BOND	BY OWNER		0.00%	0	\$0	EA.	\$0
	STATE/LOCAL BONDS	BY OWNER		0.00%	0	\$0	EA.	\$0
	SUB-CONTRACTOR BONDS	REIMBURSABLE		0.00%	0	\$0	EA.	\$0
80611	WARRANTEE BOND COST	REIMBURSABLE		0.00%	0	\$0	EA.	\$0
	TOTAL INSURANCE AND BONDS							\$0
	OTHER COST							\$0
80651	PROJECT TAXES	REIMBURSABLE		0.00%	0	\$0	EA.	\$0
80652	PRELIMINARY SOIL INVESTIGATION	BY A/E		0.00%	0	\$0	EA.	\$0
80653	GC MISC.	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
80654	ENTERTAINMENT	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
80655	BUILDING SUPPLIES	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
80656	SMALL TOOLS	BY TRADES		0.00%	0	\$0	MO	\$0
80657	CORP. DEVELOPMENT IMAGE	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
	TOTAL OTHER COST							\$0
	ARCHITECTURAL SERVICES							\$0
80710	DESIGN FEES	BY OWNER		0.00%	0	\$0	EA.	\$0
80720	ENGINEERING FEES	BY OWNER		0.00%	0	\$0	EA.	\$0
80999	CONVERSION COST	NOT APPLICABLE		0.00%	0	\$0	EA.	\$0
	TOTAL ARCHITECTURAL SERVICES							\$0
	STAFF ESCALATION		NOTES					\$0
	HOME OFFICE			4.50%	1	\$220,175	\$	\$9,908
	ON - SITE STAFF			4.50%	1	\$243,429	\$	\$10,954
1	OTHER ITEMS			4.50%	1	\$122,915	\$	\$5,531
	TOTAL STAFF ESCALATION							\$26,393

TOTAL GENERAL CONDITIONS

PER MONTH \$23,222

CITY OF TROY
FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

FIRE A	FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION	TION POLIC	CE DEPART	CMENT - RE	NOVATION	AND ADDI	TION	
	PRECONSTRUCTION SERVICES FROM 6-13-2000 TO	RUCTION S	ERVICES I	ROM 6-13-2	000 TO 9-8-	9-8-2000		
	MEETINGS OR ITEMS	PREP HOURS	MEETING HOURS	TOTAL	EST. HOURS	PM HOURS	SUPT. HOURS	Contract of the Contract of th
A 1 DESIGN TO BUDGET	22	2	2	œ	24	4	0	
A 2 PHASING AND COSTRUCTABILITY	• • • • • • • • • • • • • • • • • • •	 	2	44	00 · ·	4	4	
A 3 VALUE ENGINEERING	INCLUDED WITH ESTIMATES	/ITH ESTIMA	TES					
A 4 COST ESTIMATES SD DD 50 % CD 90 % CD		8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	0000	18 10 10	32 24 24 24	444	4444	
A 5 SCHEDULING		2	2	4		2 2	4	
			BIDDING PHASE	HASE				
B 1 DEVELOP BIDDER INTEREST	.	• • • • • • • • • • • • • • • • • • •	0 0 1 1 1 1 1	oc	∞ ∞	 	0	
B 2 DEVELOP PROPOSAL FORMS WRITE WORK SCOPES	1 40	0.5		20	4 20	4.4	4.0	
B 3 PRE BID MEETING		2	4	6	6		.4.	
B 4 EVALUATE BIDS	120	0.25	4	34	34	34	0	

CITY OF TROY
FIRE ADMINISTRATION POLICE DEPARTMENT - RENOVATION AND ADDITION

					B ∞	В7	В 6	В 5	
PRECONSTRUCTION SERVICES STAFF COSTS PRECONSTRUCTION SERVICES REIMBERSIBLE COSTS	SUB TOTALS	BILLING RATE	TOTAL HOURS		PREPARE GMP	PREPARE AND REVIEW CONTRACTS	MAKE AWARDS	B 5 POST BID INTERVIEWS	
COSTS									
S LE CO					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	40	40	20	
STS					16	0.5	0.5	0.5	
				S					
				SUMMARY	 4	0		1	
				ARY					
					20	20	60	10	
40 50	50	46					INC		
\$32,525 \$12,500	\$17,135	\$57.50	298		80	0	LUDEI	110	
	46	46					INCLUDED IN POST BID INTERVIEWS		
	\$7,680	\$64.00	120		12	20	ST BII	10	
	46	46					INTE		
	\$1,721	\$50.63	34		0	0	RVIEW	10	
	50	- Se					S.		
	\$5,110	\$35.00	146		40			10	
		46							
	\$879	\$23.75	37			10		0	